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## THE MUNICIPAL ELECTORATE: A CASE STUDY

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### I. PURPOSE AND PROCEDURE

The present study constitutes an investigation, by statistical techniques, of the composition and voting habits of a section of the electorate. The universe of data selected for analysis coincides with the electorate of the City of Austin, Texas, as of April, 1933, and the selection is justified on two grounds. First, Austin experienced a city council election in the month named, so that the time selected provides an opportunity to observe the electorate in action. Secondly, the indicated circumscription of the problem in time and area makes possible a complete and wholly objective investigation, whereas study of a more extensive electorate almost of necessity would result in the injection of subjective and non-mensurable factors. By this it is not meant to imply that the author by so limiting his problem defined for himself a task of an inconsequential character. There were, after all, 14,400 persons registered to vote in Austin in April, 1933, and those experienced in handling mass data will agree that the analysis of such a number of subjects is a very onerous task. It is true that the method of sampling might have been employed to reduce the data to a more manageable bulk, but except in one particular sampling was rejected in favor of complete enumeration.<sup>1</sup> The study therefore constitutes a detailed and objective analysis of a municipal electorate at a given time; this much is claimed for it, and for the present nothing more.

The materials from which the required facts were assembled were varied and diverse. The basic data were taken from the

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<sup>1</sup>See *infra*, Section V.

"Poll Tax List," a compilation of the names of those eligible to vote, made by the county tax collector and furnished to the city.<sup>2</sup> This list includes not only the names of electors by wards, but also the address of each, his occupation, his place of birth, his color, his age, and the number of years he has resided in state, county, and city. Further, while there is no specific reference to the sex and marital status of the elector, these were determined in a very large majority of the cases by study of the names entered. Examination of the city tax records provided information on the basis of which the elector was classified as property-owner and non-property-owner, and the city divided into categories resting on the per capita value of real property and improvements.<sup>3</sup> Again, in order to identify the elector as voter or non-voter in this particular election, the poll tax list, containing the names of all those eligible to vote, was compared with the "poll list," which bears the names of those who actually voted, and a notation was made on the former to distinguish voters from non-voters. The city clerk's records provided the data needed concerning absentee voters. Yet again, a supplementary list, compiled immediately before the election, gave the names and new addresses of those electors who changed their residences within the city after the compilation of the original list, thus making it possible to single out the transfer for special attention. Finally, check of the poll tax list by the city payroll enabled the author to identify city employees, regarding whom some interesting conclusions were reached. The fragments of information thus pieced together from many sources then were recorded on Hollerith "punch cards," one card for each elector, and tabulated under the

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<sup>2</sup>The election laws of Texas provide that a person qualified to vote in state elections shall be deemed eligible also to vote in city elections, provided he shall have resided for the six months immediately preceding the election in the city in which he offers to vote. *Revised Civil Statutes of the State of Texas, 1925*, Art. 2957.

The fifteen election "wards" of the City of Austin coincide with fifteen of the election "precincts" of Travis County. The county tax collector therefore discharges his duty by providing the city clerk with a poll tax list for each of the city's fifteen wards.

<sup>3</sup>The usefulness of the data of an economic character depended largely upon population statistics of the city by enumeration districts. Since Austin's population was not reported by wards in the census of 1930, it was necessary to go directly to the Bureau of the Census in Washington for data for the minor divisions of the city. See *infra*, Section V.

desired headings by use of sorting and counting machines. Ultimately, therefore, every pertinent fact concerning each of the 14,400 electors was entered upon a single master sheet, which presented for interpretation literally thousands of data.

Enough has been said to indicate roughly the procedure followed. Moreover, the reader may have arrived at the conclusion that the possibilities as to method of treatment of the facts recorded are limitless, as indeed they appear to the author to be. The data, it is clear, might have been sorted and counted, each category against all the rest, almost endlessly, and in truth the materials seem to warrant a more exhaustive examination than limitations of the moment permit. For present purposes, the author has been content to select for summary consideration a number of the more significant problems. The problems chosen include voting and non-voting, the factor of sex, the influence of marital status, economic standing and its bearing on the vote, occupational groups as blocs of electors, the significance of age, poll tax payment and exemption as methods of qualifying for the vote, the nativity and the race of electors (voters and non-voters), and certain special groups, namely, absentee voters, transfers, and city employees. No effort has been made in the pages which follow to deal with any particular problem in detail, but only to indicate some of the more significant conclusions which are apparent from contemplation of each.

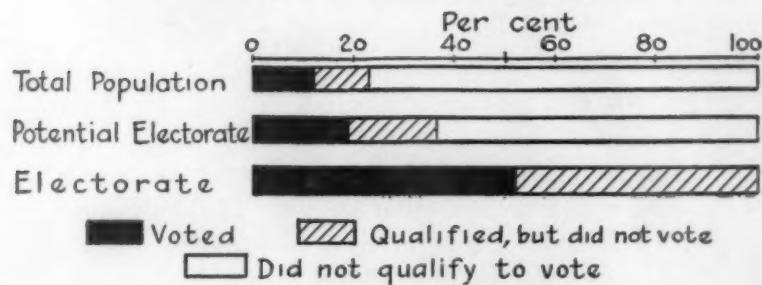
## II. THE POTENTIAL AND THE EFFECTIVE VOTE

According to the last federal census, the City of Austin had 53,120 inhabitants in 1930. That figure, however, will not suffice for our purposes, since reckoned as of April, 1933, it is almost three years out of date. Unfortunately there is no way to determine precisely what is the 1933 population of the city, though several methods exist by which an approximation of the figure desired may be had. None probably is more satisfactory than the simple projection forward for three years of the city's rate of increase for the decade 1920-1930 and the calculation of its population on this basis. During that decade Austin's inhabitants increased in number by 52.3 per cent, or 15.7 per cent every three years. The figure, therefore, which is 115.7 per cent of 53,120, is the measure of the city's 1933 population, and this figure is

found by calculation to be 61,459. Similarly the number of persons over 21 years of age, *who may be said to constitute the potential electorate of Austin*, may be calculated. Application of the formula to the census figure reveals that there are at present 39,119 such persons in the city. It is obvious that neither the population nor the "over 21" figure may be taken as being exactly correct. It is apparent further, however, that the procedure followed will produce a result substantially in accord with the facts. Attention may be called also to the use made of the figures. They are not of great intrinsic importance in the development of the study, but are employed chiefly to indicate certain ratios and relationships, so that conclusions based upon their use would not be vitiated by slight errors in either direction.

CHART I

Percentage Distribution of Total Population, Potential Electorate, and Electorate, as Voters and Non-Voters\*



\*From the figures of Table I.

All facts recorded in this chart and in subsequent charts and tables relate to the City of Austin, Texas, as of April, 1938.

TABLE I

Percentage Distribution of Total Population, Potential Electorate, and Electorate, as Voters and Non-Voters

	Per cent voted	Per cent qualified but did not vote	Per cent did not qualify to vote
Total population	12.2	11.2	76.6
Potential electorate	19.2	17.6	63.2
Electorate	52.1	47.9	—

Chart I, with its accompanying table, offers certain facts concerning voting and non-voting which will give pause to the thoughtful student of democracy.<sup>4</sup> Far from participation by the

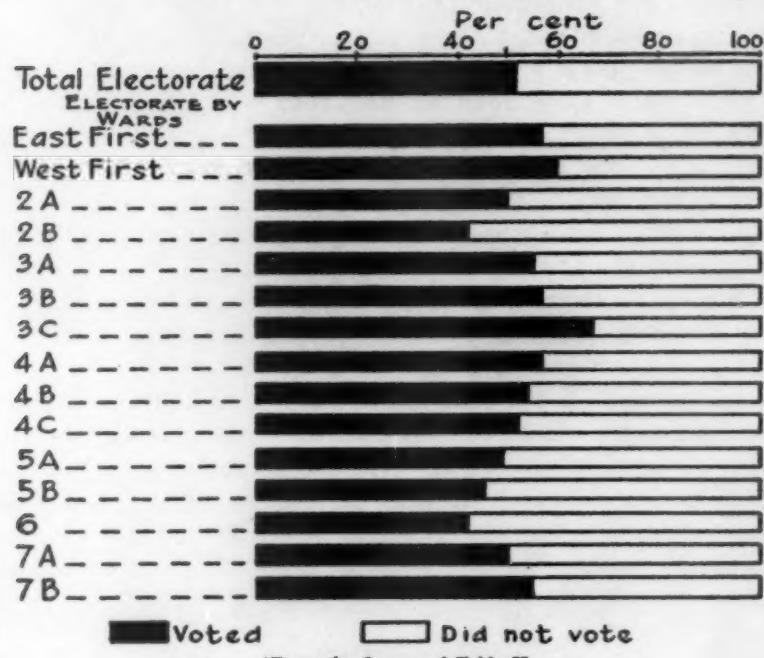
<sup>4</sup>See also *infra*, Chart XVII.

majority, it may be seen readily that 76.6 per cent of the population did not even qualify to vote; the electors of the city, that is, comprised but 23.3 per cent of its populace. And lest this statement appear too harsh, let us apply the gauge of interest in public affairs to the potential electorate, a very large majority of whom assuredly could have qualified had they so desired. Here the figures are somewhat less astounding, but remain nevertheless arresting. Of the potential electorate, 63.2 per cent did not even bother to become eligible to vote; or, to shift the emphasis, only 36.8 per cent of those who presumably could have qualified to vote actually were electors.

Within the electorate, the relationship between voting and non-voting elements presents some interesting features. Somewhat more than 50 per cent of those who qualified actually voted (52.1 per cent voted, 47.9 per cent did not vote), which is to say that almost half of the electors deemed it disadvantageous, or mayhap simply neglected, or forgot, to vote. Of the total population, 12.2 per cent voted, while 11.2 per cent qualified to vote but abstained; of the potential electorate, 19.2 voted, while 17.6 qualified but shunned the polls. The significance of these figures is brought out more sharply when it is observed that the five winning candidates for the city council polled an average vote equal to 56.6 per cent of the vote cast, 29.5 per cent of the electorate, 10.9 per cent of the potential electorate, and 6.9 per cent of the population. The present councilmen thus were placed in office by less than 7 per cent of the city's population, and in any except the broadest understanding of the term "representative government" they represent only a small minority of the people of the city—not, let us hasten to add, through any fault of their own, but simply by reason of the apathy of the citizenry. This may be democracy, or as close an approximation as the typical community is able presently to achieve, but it patently is not the traditional American democracy whose dogmas so long have been familiar to the man on the street.

Chart II reveals in summary form the distribution by voting wards of the electorate as voters and non-voters. The major fluctuations from what appears to be the normal vote may be explained readily. In Ward 2B is located the Texas Confederate (Veterans') Home, which is filled with octo- and nonagenarians most of whom did not vote (see *infra*, Section VII). Ward 3C includes the best residential district of the city, and as will be demonstrated (*infra*, Section V) the wealthier districts furnished

## CHART II

Percentage Distribution of Electorate as Voters  
and Non-Voters, by Wards\*

\*From the figures of Table II.

## TABLE II

Percentage Distribution of Electorate as Voters  
and Non-Voters, by Wards

	Per cent voted	Per cent did not vote
Total electorate	52.1	47.9
Electorate by wards		
East First	57.3	42.7
West First	60	40
2A	50.1	49.9
2B	41.7	58.3
3A	53.8	46.2
3B	55.5	44.5
3C	67.1	32.9
4A	56.7	43.3
4B	53.4	46.6
4C	52	48
5A	49.1	50.9
5B	45.4	54.6
6	41.4	58.6
7A	49.7	50.3
7B	54.2	45.8

a larger vote proportionally than the poorer. Ward 6 contains a large percentage of the city's negro population, which we shall see (*infra*, Section X) participated to only a very limited extent in the election. The chart reveals nothing of the relative size of the electorates of the various wards, but serves only to substantiate the conclusion that almost half of the city's electorate was not sufficiently interested in the election to vote, and to indicate that there were few important exceptions to the rule of indifference among the individual wards.

### III. SEX

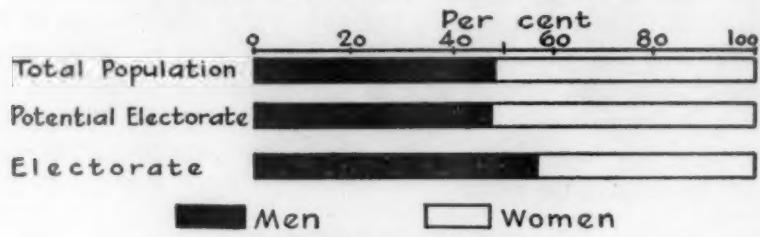
Among the most intriguing of the data to be gleaned from the census records, and among the most useful for the purpose of this study, are those which pertain to the relative numbers of males and females. The population of Austin, according to the census of 1930, whose figures may be projected as before into 1933, is 52.4 per cent female and 47.6 per cent male. Further, if the figures be restricted to the potential electorate, the strength of the female portion of the populace increases from a margin of almost 5 per cent to one of nearly 6½ per cent (53.2 per cent female as against 46.8 per cent male). The female population, then, and the female portion of the potential electorate enjoy a numerical superiority over the male which calls to mind again the old arguments against the "doubling" of the electorate through the enfranchisement of women.

In point of fact, the coming of woman suffrage did not increase the electorate by 100 per cent or by anything like that figure, as may readily be demonstrated, so far as Austin is concerned, from the data at hand. Here, contemplation of the facts reveals, the electorate is 55.7 per cent male and only 44.3 per cent female. Some interesting conclusions arise from a comparison of population, potential electorate, and electorate on the score of the relative strength in each category of male and female elements. Chart III makes convenient such a comparison, and provides an incontrovertible basis for the statement that, although women dominate the larger groups in numbers, they yield to their sometime lords and masters in the matter of qualifying for the vote.<sup>5</sup>

<sup>5</sup>See also *infra*, Chart XVII.

CHART III

Percentage Distribution of Total Population, Potential Electorate, and Electorate, as Males and Females\*



\*From the figures of Table III.

TABLE III

Percentage Distribution of Total Population, Potential Electorate, and Electorate, as Males and Females

	Per cent males	Per cent females
Total population	47.6	52.4
Potential electorate	46.8	53.2
Electorate	55.7	44.3

It is not enough, however, to say that notwithstanding there are more women in the city than men, there are more male electors than female; for no accurate measure of the influence of the two groups may be had except by answer to the question, what proportion of each group are voters, what non-voters? Table IV provides the figures necessary for a comparison of males and

TABLE IV

Percentage Distribution of Electorate by Sex as Voters and Non-Voters

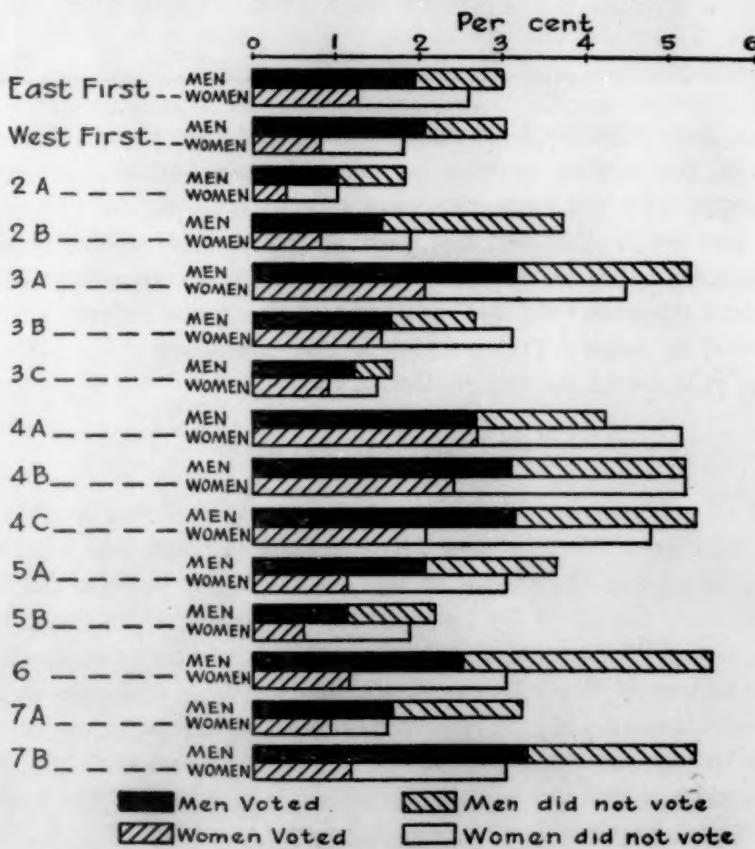
	Per cent voted	Per cent did not vote
Men	58.1	41.9
Women	44.7	55.3

females as voters and non-voters. It reveals the fact that within the electorate interest in politics is much greater among men than among women, if the vote be taken as a measuring rod. Chart IV presents an analysis by wards of the behavior of men and women as electors. From the facts there recorded one may perceive both the relative and the absolute size of the male and the female electorates by wards, and the relative and the absolute

strength of the vote of each group as well. In only three wards, 3B, 4A, and 4B, do the female electorates compare favorably in size with the male. In two of these are found more women electors than men; but in only one were there more female voters than male. In that ward, 4A, there are 741 female electors and 609 male, yet the female voters outnumbered the male by only 383 to 382, or .01 per cent of the total electorate! In only one ward, 2B, did a larger percentage of the female electors vote than male, and in that ward, as above noted, is located the Confederate Veterans' Home. Nothing appears, therefore, from an analysis of the wards to controvert or modify our conclusion reached with reference to the electorate as a whole.

#### CHART IV

Percentage Distribution by Wards of Electorate, as Male Voters,  
Male Non-Voters, Female Voters, and Female Non-Voters\*



\*From the figures of Table V.

TABLE V

Percentage Distribution by Wards of Electorate, as Male Voters,  
Male Non-Voters, Female Voters, and Female Non-Voters

	Male voters Per cent of Electorate	Male non-voters Per cent of Electorate	Female voters Per cent of Electorate	Female non-voters Per cent of Electorate
East First	1.95	1.03	1.22	1.83
West First	2.04	.96	.81	.94
2A	1.00	.79	.40	.60
2B	1.53	2.16	.80	1.10
3A	3.15	2.05	2.06	2.43
3B	1.65	1.03	1.56	1.53
3C	1.22	.43	.89	.60
4A	2.65	1.58	2.66	2.49
4B	3.13	2.04	2.39	2.78
4C	3.16	2.17	2.13	2.70
5A	2.12	1.54	1.18	1.88
5B	1.20	.99	.64	1.22
6	2.52	3.01	1.13	2.16
7A	1.72	1.55	.73	.93
7B	3.31	2.02	1.21	1.80

The facts regarding sex and the vote, then, are these: although Austin's population is 52.4 per cent female and her potential electorate 53.2 per cent, her electorate is male to the extent of 55.7 per cent. Further, the men maintain their electoral predominance in the matter of votes cast, voting to the extent of 58 per cent whereas only 44.7 per cent of the female electors vote. If proof be needed that politics is still preponderantly a man's game, it is found here in indisputable terms.

#### IV. MARITAL STATUS

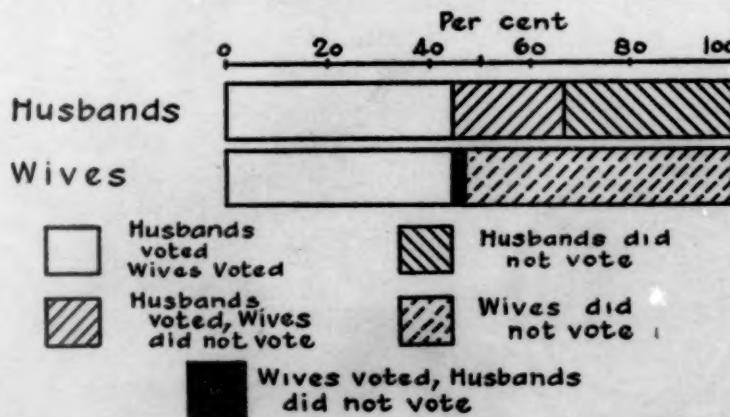
Closely related to the problem of sex and the vote is that of marital status. In the days when woman suffrage was pending, one of the chief arguments of those who sought to stem the tide in its favor rested on the husband-wife relation. Give the wife a vote, argued the anti-suffragettes, and you merely give the husband two votes, for who can doubt that the wife will vote as her spouse directs? If any effort has been made to measure objectively the electoral importance of the husband-wife relation, the author is not acquainted with it; yet it appears that such a task is not impossible of accomplishment.

The data chosen for investigation here comprise every pair of electors in the city readily identifiable as husband and wife. The method by which these persons were identified and selected is simple: (1) every man and woman bearing the same name (as John Doe and Mrs. John Doe) and residing at the same place were chosen; and (2) every man and woman bearing the same surname, listed so as to indicate marriage (as John Doe and Mrs. Mary Doe), of approximately the same age, and residing at the same place were chosen. The author concedes at once that the procedure employed will not yield absolute accuracy, and that in all probability a few husbands and wives have been omitted from the list, while some names have been included which should have been left out. The error, however, is believed to be very small, for the safeguards used undoubtedly eliminated substantially all electors except those sought. The process of selection produced the names of 7,212 persons, 3,606 husbands and 3,606 wives, who constitute slightly more than 50 per cent of the electorate.

It is not possible to ascertain how the electors in question voted, since the contents of the ballot box are not open for inspection. It is not a difficult matter, however, to determine whether or not any particular person voted, nor, therefore, to observe the husbands and wives listed as voters and non-voters. Chart V presents the fruits of such observation, revealing, within the limits of time and space set for the study, the electoral performance of the groups

#### CHART V

##### Marital Status and the Vote\*



\*From the figures of Table VI.

TABLE VI  
Marital Status and the Vote

	Per cent of total number of husbands
Husband voted with wife	45.3
Husband voted without wife	21.8
Husband did not vote	32.9
<hr/>	
	Per cent of total number of wives
Wife voted with husband	45.3
Wife voted without husband	2.5
Wife did not vote	52.2

at hand. An equal number of husbands and wives, perforce, voted together, and the number constituted 45.3 per cent of the total. Aside from the paired voters, however, significant divergences may be observed, for whereas 21.8 per cent of the husbands voted without their wives, only 2.5 per cent of the wives voted without their husbands. Further, whereas only 32.9 per cent of the husbands failed to vote, 52.2 per cent of the wives are listed as non-voters.

The conclusion to be drawn from the figures given is clear. Stated bluntly, it is this: the wife ordinarily does not vote unless the husband votes, although the husband frequently votes without the wife. The contention of those who opposed woman suffrage therefore appears to have been justified, for it is evident that, in so far as the electorate is composed of husbands and wives, and in so far as the wives participate in politics by voting, the enfranchisement of women merely doubled the vote of those husbands sufficiently interested (or sufficiently influential) to persuade their wives to exercise the privilege of the franchise. There doubtless will be those who will insist that the emphasis should be exactly reversed, but a sufficient answer to that suggestion would seem to be found in the relatively large "independent" vote among the husbands as compared with the very small "independent" vote among the wives. Apparently it is the husband who takes the lead in politics, and not the wife.

While the most intriguing questions arise from consideration of the comparative electoral performances of husbands and wives, a further significant problem is presented by comparison of the

husbands and the wives with the total bodies of male and female electors respectively. Reference to the data reveals that 67.1 per cent of the husbands voted while no more than 58.1 per cent of the male electors voted, and that 47.8 per cent of the wives voted as against 44.7 per cent of the female electors. The most apparent explanation of these phenomena is that the husbands-wives fall into the age groups which are most active as voters (see *infra*, Section VII). And so far as the wives are concerned, this explanation seems plausible, inasmuch as the percentage of voters among the females of every age group from 36 to 60 years is greater than the figure set for the wives. Married females, that is, do not vote with any greater enthusiasm than other females of comparable age range. To explain the vote of the husbands, however, a less obvious line of reasoning is required, for in only one male age group, and that one of the smaller, is so large a percentage of voters found as among the husbands. Further, only one of the twelve occupational groups studied boasts so large a percentage of voters among its male members as the husband group (see *infra*, Section VI). An examination of several groups defined in sundry terms thus fails to reveal a chance relationship which would provide a logical explanation of the abnormally high percentage of voters among the husbands. We are justified, therefore, in setting the husband group apart and calling attention to the enthusiasm as electors which characterizes its members. Tentatively, we may advance as a possible explanation of this phenomenon that interest in civic affairs which is supposed to be greater in "family" than in single men, though no data are at hand, other than those noted, by which such an explanation may be tested objectively.

The relation between marital status and the vote appears, from our casual investigation, to offer interesting possibilities for research. The data here presented warrant the conclusions (1) that the wife votes when, and almost always only when, the husband votes, and (2) that the husband group affords an intriguing field for hypotheses by reason of the high percentage of voters among its members. It would be exceedingly interesting to know how each member of every pair of husbands-wives voted, for such information would provide a basis for conclusions of the greatest significance. The data desired, however, are not to be had at present, hence any statement regarding the nature of the vote cast by the groups under consideration must be based upon nothing more than speculation.

## V. ECONOMIC STANDING

As significant a problem as may be raised concerning the electorate and the vote has to do with considerations of an economic character. There was a time when property holding was prerequisite to participation in politics, and even now certain vestiges of the property ownership requirement for voting and holding office remain with us. To what extent were the practices of earlier days based upon sound principles? To what extent is the elector's economic status responsible for his attitude toward voting? To what extent is the electorate dominated and the government controlled by voters whose motives may be supposed to be affected by their economic interests? These and countless other questions, only a few of which may be considered here, clamor for answer when one turns to the problem suggested.

Prerequisite to any reasoned discussion of the economic factor and the vote is the definition of a yardstick by means of which the economic standing of the elector may be measured. The author has devised two such yardsticks, one of which indicates in a general way the position in society of the group measured; the other pertains more specifically to the matter of property ownership. The first rests upon the per capita valuation of real estate and improvements, and was derived from the association of figures obtained from the tax assessor and collector of the City of Austin with population data furnished by the Federal Bureau of the Census. Austin's population was not analyzed by wards in the last (Fifteenth) census reports, nor, inquiry disclosed, did the census enumeration districts coincide, except in three instances, with the city's wards. Investigation revealed, however, that some half of the enumeration districts might be combined so as to be coterminous with half of the wards. Moreover, the division so suggested placed what the author hypothesized to be the "poorer" sections of the city in one category and the "wealthier" sections in the other, with the city's chief business street, which divides the more valuable business property into two approximately equal parts, serving as the line of demarcation between them. Thus was it possible to divide the population into two groups, not widely separated in size, and to obtain the per capita real property and improvements valuation for each. The fruits of this operation are set down in Table VII, which reveals that the wealthier wards

enjoy a marked superiority over the poorer in the matter of property values.\*

TABLE VII

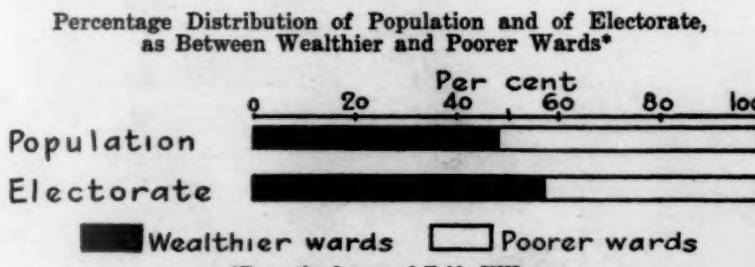
Per Capita Valuation of Real Property and Improvements  
for Wealthier and Poorer Wards\*

	Lots	Improvements	Lots and Improvements
Wealthier Wards	\$560.11	\$736.99	\$1297.10
Poorer Wards	342.68	485.86	828.54

\*The valuations employed are the *actual* valuation figures listed on the city's property assessment rolls. Non-taxable property is not taken into account.

Now, this whole operation rests upon the assumptions first that the residents of the wealthier wards occupy a better economic position than those of the poorer, and second that this difference in status will be reflected in the vote of the two groups. The validity of the first hypothesis is substantiated by the figures of Table VII, if we accept the customary definition of the term "better economic position." The second may be tested by reference to Chart VI, which reveals that, although the wealthier wards

CHART VI



\*From the figures of Table VIII.

TABLE VIII

Percentage Distribution of Population and of Electorate,  
as Between Wealthier and Poorer Wards

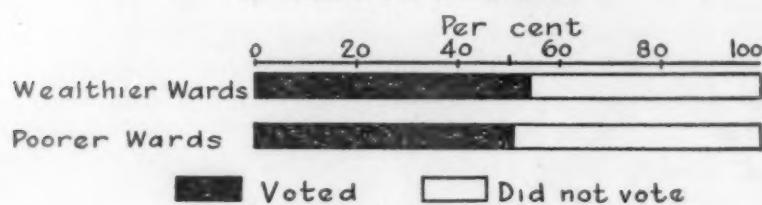
	Per cent residing in wealthier wards	Per cent residing in poorer wards
Population	48.2	51.8
Electorate	56.9	43.1

\*The author has not attempted here to set up an absolute scale for the measurement of real property and improvement valuations, but only to indicate that one group of wards has a higher per capita valuation, and therefore is "wealthier," than another.

contain only 48.2 per cent of the city's population as against 51.8 per cent for the poorer wards,<sup>7</sup> the former boast 56.9 per cent of the electorate as compared with 43.1 per cent for the latter. The evidence, then, is incontrovertible. Some will suggest, however, that the figures adduced do not indicate a greater interest in politics among the electors of the wealthier wards, but merely a more general ability to qualify for the vote through payment of the poll tax. That there is logic in this position would seem to be beyond question. That it does not offer a sufficient explanation of the phenomenon under observation, however, is demonstrable by reference to Chart VII, which bears proof of a more active

## CHART VII

Percentage Distribution of Electorate by Wealthier and Poorer Wards as Voters and Non-Voters\*



\*From the figures of Table IX.

## TABLE IX

Percentage Distribution of Electorate by Wealthier and Poorer Wards as Voters and Non-Voters

	Per cent voted	Per cent did not vote
Wealthier wards	53.4	46.6
Poorer wards	50.5	49.5

interest, as measured by the vote, among the electors of the wealthier wards than among those of the poorer. Chart VI, then, justifies the statement that the wealthier wards, though smaller in population, furnished a considerable majority of the electors; Chart VII evidences clearly the fact that the wealthier electors voted in greater numbers than the poorer, the wealthier wards providing, indeed a majority of 58.2 per cent of the vote cast.

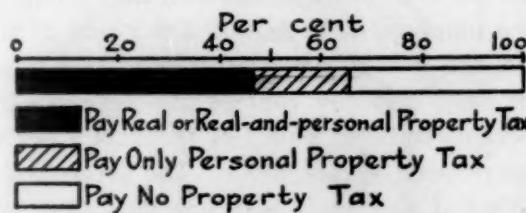
<sup>7</sup>The actual figures are 29,628 inhabitants for the wealthier wards and 31,831 for the poorer.

It is apparent, therefore, from the application of our first criterion, that the elector's economic status has a marked influence on his attitude toward voting, though general conclusions concerning the economic factor must be held in abeyance temporarily pending the examination and evaluation of additional data.

The second criterion on which the study rests its conclusions regarding economic status concerns the electorate as property owners, that is, as taxpayers. In this respect and in this only did the author take advantage of the short-cut offered by sampling. An investigation of each of the 14,400 electors would have required a tremendous amount of time; hence a 10 per cent sample was taken, every tenth elector being chosen for study.<sup>8</sup> The city tax rolls then were searched for each of the names selected.<sup>9</sup> The results of this procedure, so far as the composition of the electorate is concerned, are recorded graphically in Chart VIII, which

CHART VIII

Percentage Distribution of Electorate as City Taxpayers  
and Non-Taxpayers\*



\*From the figures of Table X.

<sup>8</sup>The number actually studied was 1426; it should have been 1440. The difference arises from the fact that instead of making the selection by count the author took the distance between the first and the tenth names on the poll tax list of East First Ward as a unit and "measured" for the names desired by application of this unit. The result is not precisely accurate, but the error is negligible.

<sup>9</sup>Originally it was intended to take into account also the elector as a taxpayer or non-taxpayer of Travis County, and the data for this phase of the study were collected and computations completed. From the facts available, however, no significant features appeared to differentiate the elector as a city taxpayer or non-taxpayer from the elector as a county taxpayer or non-taxpayer. Differences there were, to be sure, but none notation of which would have furthered the purpose of this study. Hence it was decided to omit mention of the county entirely.

TABLE X

Percentage Distribution of Electorate as City Taxpayers  
and Non-Taxpayers

	Per cent of electorate
Pay real or real-and-personal property tax	46.7
Pay only personal property tax	18.4
Pay no property tax	34.9

reveals that almost half of the electors pay taxes to the city on real or real-and-personal property, while more than 65 per cent pay some form of property tax.<sup>10</sup>

It is not enough, however, to know that the electorate is dominated by property owners. A further question which demands consideration is this: to what extent do the groups at hand take advantage of the franchise privilege? The query may be answered by reference to two series of data. First, let us note that while those who pay real or real-and-personal property taxes constitute 46.6 per cent of the electorate, they comprise 51.4 per cent of the voters. Again, while those who pay only personal property taxes total 18.4 per cent of the electorate, they participated in the election in such numbers as to cast 19.2 per cent of the vote. On the other hand, the non-taxpayers comprise 34.9 per cent of the electorate, but only 29.4 per cent of the voters. In short, the property-owners dwindle in numbers from 34.9 per cent to 29.4 per cent of the respective categories. The property-owner therefore asserts himself and casts a larger vote than would be expected; the property-less elector evinces less interest in politics

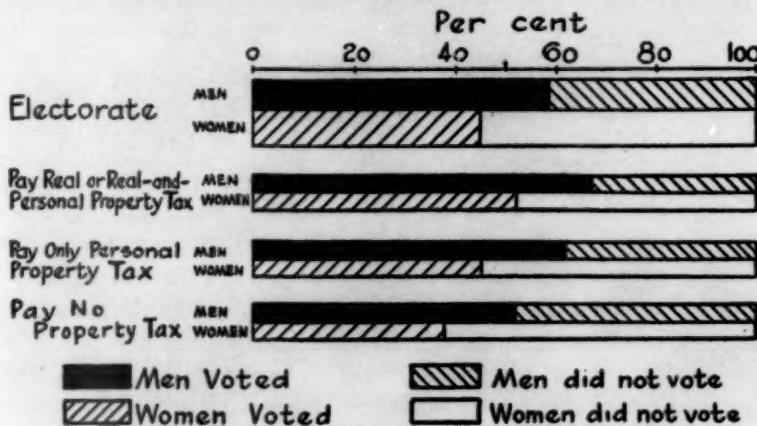
<sup>10</sup>If the percentage of taxpayers seems high, a ready explanation therefor is at hand. The person who pays a property tax to the city ordinarily pays a tax also to the county (though the county tax assessor overlooks considerable personal property found by the city assessor). Now, while the city tax officers say nothing about the poll tax, the county officers collect that tax from all property taxpayers. And the law provides that any person who has paid the (county) poll tax shall be eligible to vote in elections in the city in which he resides.

On the other hand, while all persons are liable for payment of the poll tax, the county tax officers have devised no means for collecting that tax from those who own no property. The poll tax thus becomes a levy which is compulsory on property taxpayers and optional on those who escape the property tax. Under these circumstances the large percentage of property-owners among the electors need occasion no surprise.

and loses ground in proportion as the taxpayer gains.<sup>11</sup> A second series of data, portrayed graphically in Chart IX, provides further evidence of the same tendency. There it may be observed that

CHART IX

Percentage Distribution by City Taxpayers and Non-Taxpayers  
of Males and Females, as Voters and Non-Voters\*



\*From the figures of Table XI.

TABLE XI

Percentage Distribution by City Taxpayers and Non-Taxpayers  
of Males and Females, as Voters and Non-Voters

	Per cent males voted	Per cent males did not vote	Per cent females voted	Per cent females did not vote
Electorate	58.1	41.9	44.7	55.3
Pay real or real-and-personal property tax	66.7	33.3	51.6	48.4
Pay only personal property tax	61.5	38.5	44.4	55.6
Pay no property tax	51	49	37.5	62.5

<sup>11</sup>This shift is the less to be anticipated in light of the fact that the property-owner must pay the poll tax, if his property is assessed and his tax paid, whether he will or no, whereas the non-property-owner pays only if he desires (see *supra*, note 10). One would suppose that many involuntary electors would be included among the property-owners, and that non-voting would be high among them. On the other hand, it would appear that a large percentage of the non-taxpaying electors, all of whom presumably paid the poll tax of their own volition, would vote. Apparently the economic stake in the community held by the taxpayers, together with an indifference born of the absence of such a stake on the part of the non-taxpayers, reversed the natural process and led to the development described above.

the real or real-and-personal property taxpayer gives voice through his vote to the greatest (relative) interest in politics; that the payer of a personal property tax alone follows a considerable distance behind; and that the non-taxpayer brings up the rear, seemingly content to leave control of the city in the hands of property interests. It is interesting to note that no substantial differences appear between men and women as taxpayers and non-taxpayers.<sup>12</sup>

Two lines of reasoning and two independent sets of facts thus bring us to the same end. It is clear first that citizens residing in the "wealthier" wards more frequently qualify to vote than those of the poorer, and having qualified take part more frequently in elections. It is evident secondly that the city's government is controlled, or at any rate that the representatives are elected, by property-owners, for non-taxpayers do not qualify so universally nor, having qualified, do they vote so enthusiastically as taxpayers. The data on which our conclusions are based are, of course, limited in character, and do not warrant broad generalizations on so large a question as the property-holding qualification on the right to hold office and the privilege of voting. They do, however, justify the statement that the possession of property might be re-established as a prerequisite to voting in Austin without great hardship on or grave injustice to the populace, for the city council even now represents a body of voters who are property-owners to the extent of more than 70 per cent.

#### VI. OCCUPATION

Logically following the problem of economic status is that of occupation. The two, indeed, are fundamentally but related phases of the same problem, though by reason of the necessity of classifying scores of divers trades into a dozen occupational categories, questions concerning the economic standing of the various vocational groups must be passed over to a large extent in this section. Notwithstanding this limitation, an examination of the available facts pertaining to occupation will yield significant results, for it will enable us to reach certain interesting conclusions regarding the electoral performance of the groups at hand.

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<sup>12</sup>Sex provided one of the primary bases for classifying the electorate, and the distinction between men and women electors will be maintained except where the interests of clarity demand that it be ignored.

While the author made no effort to count the occupations given on the poll tax list, an estimate would place the number at close to 300. To reduce this figure to a manageable size a system of classification was worked out which set up twelve occupational categories. Seven of these were taken from the "Gainful Occupations" table of the federal census reports; five were added to accommodate the list to the exigencies of the study. The resulting classification, if not wholly logical, at least has the merit of being useful for our purposes.<sup>13</sup> It need occasion no surprise if apparent paradoxes are discovered—if, for example, females are found in groups which we have been accustomed to consider the strongholds exclusively of mankind; for each group comprises a host of individual vocations which not only are not necessarily related but which may seem in some instances mutually antagonistic.

Chart X presents in summary form the chief fruits of our study of occupational groups, in so far as we shall take occasion to examine them here. Vertically, the chart indicates the percentage of the electorate found in each group; horizontally, each group is classified and charted by percentages of male voters, male non-voters, female voters, and female non-voters. In content, the diagram requires little elucidation or elaboration. The extremes are found in the miscellaneous group, which voted to the extent of only 36.3, and the public service category, 69.4 per cent of whose members were voters.<sup>14</sup> It is not difficult to see what occupations the bulk of the voters follow, nor where most of the non-voters are to be found. The male electors of the manufacturing, transportation, trade, public service, domestic service, and professional service groups cast 47 per cent of the total vote; the housewives cast 29.2 per cent. The same categories contributed 31 and 39.6 per cent respectively of the non-voting electors. Excluding the class labeled miscellaneous, the housekeeping group

<sup>13</sup>Only one group heading, that marked "Labor," requires comment. Not every laborer in Austin has been listed in this category, but only those electors who registered themselves as laborers on the poll tax list. It was thought worth-while to investigate especially the electoral performance of the confessed laborer. Hence a separate group was created for him—at some violence, it may be admitted, to the system of classification as a whole.

<sup>14</sup>A partial explanation of the high vote among public servants is found in the fact that 262 of the 682 electors comprising this group were city employees, a very large percentage of whom voted. See *infra*, Section XI.

CHART X

Percentage Distribution of Electorate by Occupations; Percentage Distribution of Occupational Groups as Male Voters, Male Non-Voters, Female Voters, and Female Non-Voters\*

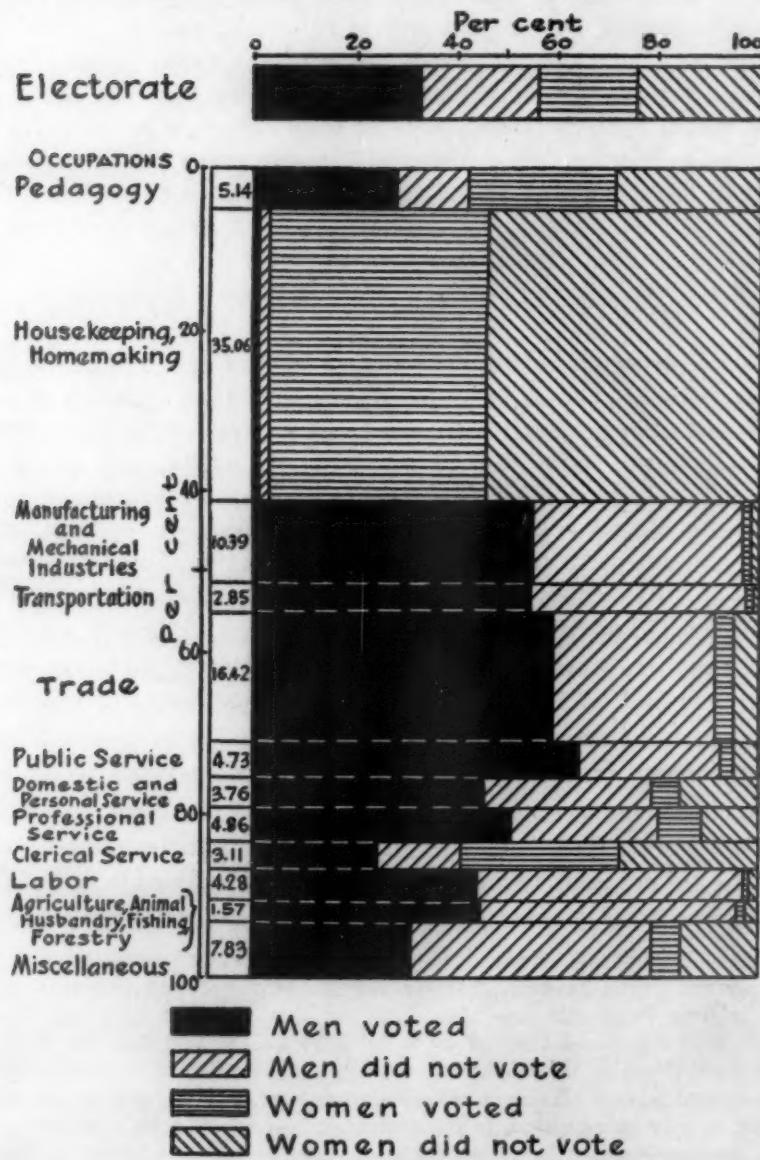


TABLE XII

Percentage Distribution of Occupational Groups as Male Voters,  
Male Non-Voters, Female Voters, and Female Non-Voters

	Per cent male voters	Per cent male non-voters	Per cent female voters	Per cent female non-voters
Electorate	32.4	23.4	19.8	24.4
Occupations				
Pedagogy	28.9	14.3	29.1	27.7
Housekeeping, homemaking	1.4	1.2	43.4	54
Manufacturing and mechanical industries	55.7	41.6	1.4	1.3
Transportation	55.6	41.7	2.2	.5
Trade	59.8	32.3	3.8	4.1
Public service	66.6	27.4	2.8	3.2
Domestic and personal service	45.3	34.4	5.4	14.9
Professional service	51.1	29.6	8.3	11
Clerical service	24.8	16.7	31.9	26.6
Labor	44.1	53.3	1.6	1
Agriculture, animal husbandry, fishing, forestry	45.6	50.9	1.8	1.7
Miscellaneous	31	49	5.3	14.7

voted with less enthusiasm than any other (44.8 per cent of its members voted, 55.2 per cent did not vote), with the labor category ranking second. Further study of the chart will reveal additional facts of interest. Table XIII presents the salient data concerning the electorate by occupational groups as voters and non-voters without reference to sex, thus providing information which makes possible ready comparisons.

Casual contemplation of the problem of occupational performance suggests manifold investigations which might be conducted

TABLE XIII

Percentage Distribution of Occupational Groups as Voters and Non-Voters

Occupational group	Per cent voted	Per cent did not vote
Pedagogy	58	42
Housekeeping, homemaking	44.8	55.2
Manufacturing and mechanical industries	57.1	42.9
Transportation	57.8	42.2
Trade	63.7	36.3
Public Service	69.3	30.7
Domestic and personal service	50.7	49.3
Professional service	59.4	40.6
Clerical service	56.7	43.3
Labor	45.7	54.3
Agriculture, animal husbandry, fishing, forestry	47.3	52.7
Miscellaneous	36.3	63.7

profitably in this field. To illustrate, the cards on which the pedagogues are coded might be separated from the rest and a detailed examination made of that special group with regard to such factors as economic standing, age, nativity, race, etc. Bearing in mind the primary purposes of this study, however, the author elected to drive straight through and confine attention to the major items of voting behavior and sex. A large amount of material therefore has been presented in synoptic form, and many facts of a sociological character have been wholly ignored. The ends of this section have been gained, however, if the reader, within the limits imposed by the scope of the study and the nature of the data, has reached definite conclusions concerning the "classes" of society which vote and those which do not. Further exploration of the materials available must await another time and place.

### VII. AGE

A most significant problem pertaining to the electorate has to do with age. What is the average age of electors? The modal age? The median age? How do electors group themselves around the central tendency age? How does the male electorate compare with the female on these scores? What is the nature of the voting as compared with the non-voting portion of the electorate? How do male voters compare with female? Male non-voters with female? Here are a few of the more significant of the questions consideration of which will provide descriptions, by age characteristics, of electors, voters, and non-voters.

The essential facts concerning age are recorded graphically in Chart XI.<sup>15</sup> There may be seen at a glance the composition by age of male electorate, female electorate, and male voting, male non-voting, female voting, and female non-voting groups. Let attention be directed first to the male and the female electorates. That the distribution curves describing them are markedly similar is evident at a glance, and the impression of likeness deepens into conviction with an examination of specific data. Table XIV presents data which reveal a small difference between the mean

<sup>15</sup>Some 200 persons, comprising 1.4 per cent of the electorate, who chose to list their age as "over 21," are omitted from the computations of this section. As might have been expected, this group is female to the extent of 87.8 per cent.

An age interval of five years was chosen over an interval of ten for the reason that, while the latter would have produced a "smoother" curve, it was desired to bring out certain details which the smaller interval emphasizes more than the larger.

CHART XI  
 Distribution by Age of Male Electors, Female Electors, Male Voters,  
 Male Non-Voters, Female Voters, and Female Non-Voters

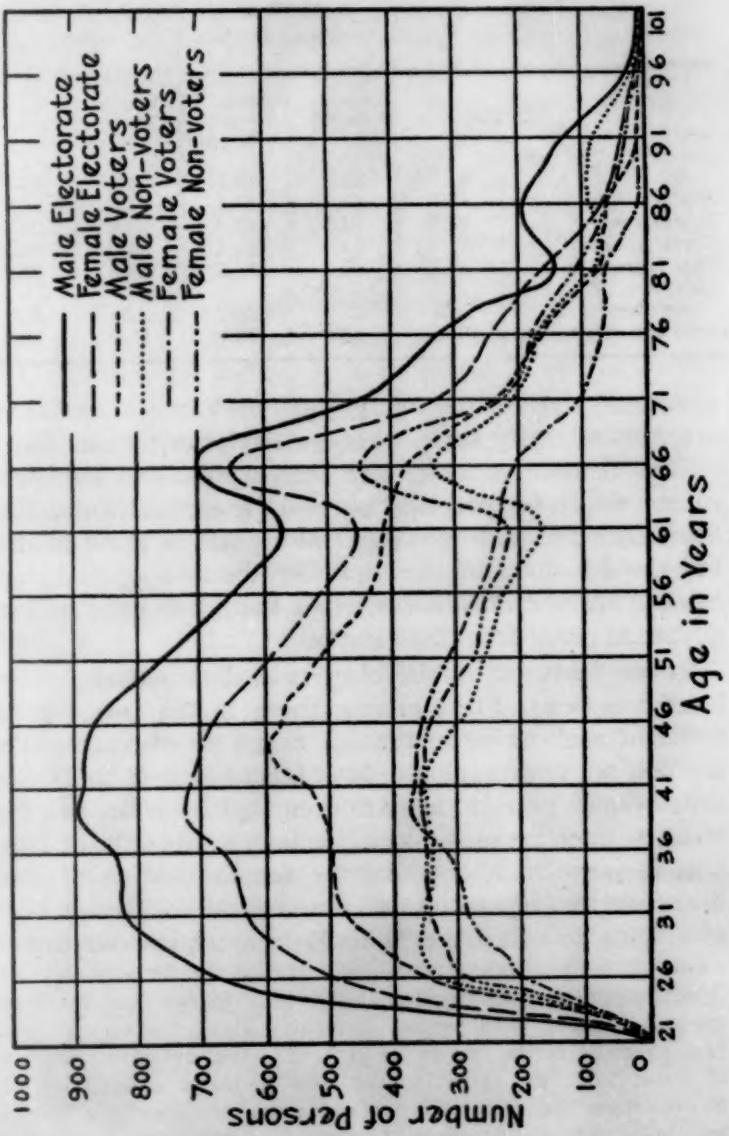


TABLE XIV

Central Tendencies and Deviations in Age Among Male Electors,  
 Female Electors, Male Voters, Female Voters,  
 Male Non-Voters, and Female Non-Voters

	Male electors	Female electors	Male voters	Female voters	Male non-voters	Female non-voters
Arithmetic mean						
age	47.2	46.8	46.0	44.9	49.0	48.3
Median age	45.5	45.4	45.1	44.0	46.2	47.0
Modal age	38.6	38.5	43.4	38.6	28.5	63.5
First quartile	34.0	34.3	34.4	34.2	33.3	34.3
Third quartile	60.7	60.1	57.5	55.5	64.2	63.0
Measure of skewness	.268	.279	.147	.159	.329	.368
Average deviation	13.8	13.2	12.0	11.0	16.3	14.6

(average) ages of the two groups, median and modal ages which are virtually the same, average deviations from the respective central tendencies which are comparable, and semi-interquartile ranges which for practical purposes are coincidental. The quartile deviations for each curve reveal a positive skew in distribution, but the measures of skewness for the two are substantially the same.<sup>16</sup> Minor differences exist, then, but none of large consequence appears from the figures.

Three features of the electorate distribution curves require brief mention. First among these is the pronounced upward trend of each curve in the age range 61-66 years. Payment of the poll tax is prerequisite to enfranchisement in Texas, but persons over 60 years in age are exempted from the poll tax requirement.<sup>17</sup> Such persons take advantage of the offer of free registration in large numbers, and the female portion of the populace bears up the reputation of womankind for bargain-hunting by qualifying to vote from 61 to 66 in much greater numbers (pro-

<sup>16</sup>To say that a distribution is skewed is to say that the items described are not grouped with perfect symmetry about the central tendency. The first quartiles in the two series at hand reveal deviations from the medians of about 11.5; the third in each case indicates a deviation of about 15. Hence, since the deviations are not equal in either distribution, both are said to be skewed. Moreover, since the deviation above the median is greater than that below in each case, the skew is positive in both; that is, it is in the direction of the greater ages. The measure of skewness for the male electorate is .27, that for the female electorate .28. The small difference indicates that they are skewed to about the same degree. In other words, the distributions, though asymmetrical, are very similar.

<sup>17</sup>See *infra*, Section VIII.

portionally) than the male element. A second feature worthy of comment is observed at the age range 76-81, where for the first time the female electorate outnumbers the male. The curve describing the male electorate continues its steady downward tendency to the midpoint of the range, it will be noted, whereas the female curve flattens out somewhat. The flattening out is brought about by the presence in that age group of the wives and widows of Confederate veterans, who are found particularly in Wards 2B, at the Veterans' Home, and 4B, in which the State maintains a Confederate Womans' Home. The influence of this group extends into the next age range, though a new factor enters in which minimizes its comparative significance. A third notable characteristic of the electorate curves is seen particularly in the range 81-86, and to a less extent in those immediately following, where, it will be observed, the male curve rises markedly while the female curve, recovering from the veterans' wives-and-widows flurry, resumes its downward trend. The explanation of the fluctuation is apparent: it is found in the veterans themselves. Specifically, of the 185 male electors 81-86 years in age, ninety-six gave as their residence the Confederate Home. In these terms may be explained the three major quirks of the electorate curves, which in the absence of the features noted would assume forms descriptive of the familiar positively skewed frequency distribution.

Analysis of the curves describing by age intervals the characteristics of male voters, male non-voters, female voters, and female non-voters leads to a number of interesting conclusions, especially if it be made in light of the data of Table XIV. To begin with, inspection of the curves indicates a much closer relation between the voters of each sex and between the non-voters of each sex than between male voters and non-voters or female voters and non-voters. Stating the relation statistically, calculations based upon the percentages of male electors voting (by age intervals) and the percentages of female electors voting yield a coefficient of correlation of .90. The same operation for non-voters produces an identical coefficient, which merely evidences a relation between non-voters complementing that subsisting between voters. The coefficients of correlation obtained, which are unusually high, indicate a marked tendency for equal percentages of male and female electors, within any given age range, to vote, and for equal percentages to refrain from voting. The figures of Table XIV bear out the conclusion reached. A comparison of male voters

and female voters as to mean ages, median ages, semi-interquartile ranges, measures of skewness, and average deviations identifies the two as essentially similar groups in age distribution. Moreover, male non-voters and female non-voters may be associated definitely in the same manner.<sup>18</sup> On the other hand, like comparisons of male voters and male non-voters and of female voters and female non-voters indicate clearly that the pairs mentioned are not made up of similar series in age distribution. It is clear, therefore, that such differences as exist among the various age groups in the matter of electoral performance are attributable not to sex, but to factors which divide the electorate into voters and non-voters with little regard for sex.

Further significant findings flow from consideration of the question, at what ages do the voters predominate, at what ages the non-voters? Table XIV shows that the mean age of voters is considerably less than that of non-voters; that the median age likewise is less; that the first quartile is somewhat nearer and the third quartile much nearer the median among voters than among non-voters; that the degree of skewness is much smaller among voters than among non-voters; and that the average deviation for voters is several years less than for non-voters. These data mean first, that voters as a body are considerably younger than non-voters, and secondly, that those who vote are grouped in more concentrated fashion around the central age tendency than are those who do not vote. The latter point may be re-stated in these terms: as one leaves the median voting age and moves upward or downward, one finds progressively fewer voters and more non-voters, until in the lower reaches of the distribution the non-voters challenge the supremacy of the voters, while in the upper they outstrip their rivals by figures which constantly grow larger.

<sup>18</sup>Lest omission of mention of the mode give rise to some doubt, a word may be said here concerning it. In so far as voters are concerned, no explanation is required. The figures (of Table XIV) mean merely that a greater number of male electors voted at 43.4 years than at any other age, and that more females voted at 38.6 years than at any other. As to non-voters, the data indicate that a greater number of male non-voters was found in the age range 26-31 than in any other (though the mode missed the interval 36-41 by only one vote), and that the greatest number of female non-voters fell into the range 61-66. Specifically, and practically, these latter figures mean that the marked increase in frequency at the range 61-66 lacked a little of precipitating the male non-voters' curve back to the height it had attained earlier, while the increase in number of female non-voters caused their curve to skyrocket to its highest point. Explained in these terms, the modal figures are not difficult to understand.

Inspection of Chart XI substantiates these conclusions. Its curves indicate that the voters predominate among male electors to the age range 71-76, after which they yield more and more ground to the non-voters. Among female electors, the voters enjoy a superiority in strength only between the ages of 36 and 60, and even during those years the non-voters exhibit a tenacity which foreshadows their early return to a position of numerical supremacy. Voters, to summarize, are men and women in the prime of life; in youth they battle on almost even terms with the non-voters, but in late middle age they desert their camp in such numbers as soon to establish the non-voters in a position of superiority which becomes stronger with advancing years.

The examination of the electorate by age distribution here brought to an end has yielded certain conclusions which may profitably be passed in review. First, the male and the female portions of the electorate are substantially similar in all important respects. Secondly, the exemption from poll tax payment, which becomes effective at 60 years of age, encourages many additional persons to become members of the electorate. Thirdly, the Confederate veterans and the wives and widows of veterans have a considerable effect on the electorate in its upper reaches, though but little on the vote cast. Fourthly, there is a greater similarity between male and female voters and between male and female non-voters than between male voters and non-voters or female voters and non-voters. Fifthly, voters tend to concentrate at the middle ages, non-voters at the extremes, and more especially at the upper extreme. Other conclusions might be drawn, but these offer what are believed to be significant suggestions in answer to the questions propounded as we approached the problem of age.

#### VIII. METHOD OF QUALIFYING FOR THE VOTE

The laws of Texas provide that electors of the State shall enjoy the privilege of franchise in city elections.<sup>19</sup> They provide further that every person between the ages of 21 and 60 years shall be liable for payment of a poll tax, and that none shall be eligible to vote who has not paid this tax. Certain exceptions to payment of the poll tax as a prerequisite to voting are specified: (1) as intimated above, persons over 60 years in age are exempt from payment; (2) any person "who is blind or deaf and dumb, or is

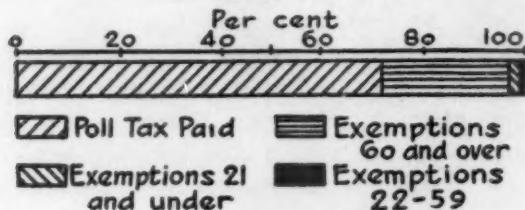
<sup>19</sup>There are certain exceptions which are not material here.

permanently disabled, or has lost one hand or foot, . . . " is exempt;<sup>20</sup> and (3) any person who reaches the age of 21 years after January 1st and before the day of the election in which he desires to participate may vote without having paid the tax.

In effect, therefore, notwithstanding the evident purpose of state law to set up poll tax payment as a requirement for voting in city elections, the statutes list exemptions which make it possible to divide the electorate into four categories as regards method of qualifying for the vote. The first includes those who pay the tax and so qualify; the second, those who, having reached the age of 60 years, are eligible to vote without payment of the tax; the third, those between the ages of 22 and 59 who for one of the specified reasons are exempt from payment; and the fourth, those 21 years of age and under who are allowed to cast their first ballot without charge. Chart XII indicates the percentage dis-

#### CHART XII

Percentage Distribution of Electorate by Method of Qualifying for Vote\*



\*From the figures of Table XV.

#### TABLE XV

Percentage Distribution of Electorate by Method of Qualifying for Vote

	Per cent of electorate
Poll tax paid	73.4
Exemptions 60 and over	23.6
Exemptions 21 and under	2.1
Exemptions 22-59	.9

tribution of the electorate among these four categories. It reveals that poll tax payment is not exacted from nearly so large a percentage of the electors as one from the language of the law might assume it would be. In truth, 26.6 per cent escape payment entirely, 23.6 through having reached the age of 60 years, 2.1

<sup>20</sup>*Revised Civil Statutes of the State of Texas (1925)*, Article 2960.

through having just come of age, and .9 by reason of physical imperfections. The poll tax rule thus disappears, to be replaced by the alternative requirements of (1) poll tax payment, (2) age, and (3) physical disability. It will be interesting to observe the voting performance of the groups qualifying under these various requirements.

TABLE XVI

Percentage Distribution of Electorate, by Method of Qualifying for Vote, as Voters and Non-Voters

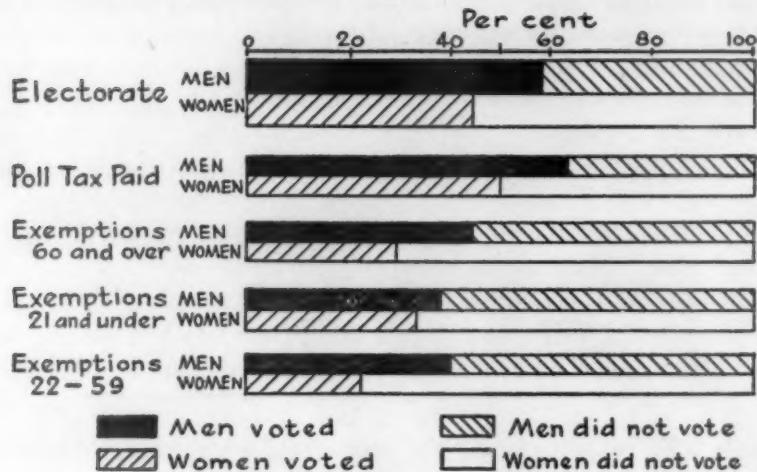
	Per cent voted	Per cent did not vote
Poll tax paid	57.5	42.5
Exemptions 60 and over	37.9	62.1
Exemptions 21 and under	26.9	63.1
Exemptions 22-59	35.8	64.2

Table XVI reveals clearly the comparative electoral behavior of the four groups at hand. From the data presented the conclusion is patent that the poll tax payers constitute what is relatively much the most influential element of the electorate, 57.5 per cent of their number voting as against 42.5 per cent who did not vote. Next in importance are those electors classified as "Exemptions 60 and over," 37.9 per cent of whom voted as compared with 62.1 per cent who did not vote. Next are those listed as "Exemptions 21 and under," who voted somewhat less enthusiastically than those 60 and over. Occupying the position of least importance are those electors between the ages of 22 and 59 who qualify without paying the poll tax. The relative voting performance of the four groups may be evaluated readily by reference to Chart XIII, which permits the reader also to estimate the relative importance of male and female electors. Their absolute influence as voters is indicated by the fact that, whereas those exempt from payment of the poll tax constitute 26.6 per cent of the electorate, they furnish only 19.2 per cent of the total vote.

An additional comment on the largest of the exempt groups, namely that including electors over 60 (see Chart XII), rests upon further study of Chart XI. The electorate curves, as was noted in Section VII, experience a sharp rise in the age range 61-66, which indicates that a large number of additional persons, attracted by the prospect of voting without charge, become electors at that time. When the increased electorate of the range

## CHART XIII

Percentage Distribution by Method of Qualifying for Vote of  
Males and Females, as Voters and Non-Voters\*



\*From the figures of Table XVII.

## TABLE XVII

Percentage Distribution by Method of Qualifying for Vote of  
Males and Females, as Voters and Non-Voters

	Per cent males voted	Per cent males did not vote	Per cent females voted	Per cent females did not vote
Electorate	58.1	41.9	44.7	55.3
Poll tax paid	63.6	36.4	50	50
Exemptions 60 and over	44.6	55.4	29.2	70.8
Exemptions 21 and under	38.5	61.5	34	66
Exemptions 22-59	40.4	59.6	22.9	77.1

61-66 is resolved into its component parts, however, some facts of the greatest significance come to light. The non-voting curves for both males and females rise sharply at that point, whereas the voting curves merely flatten out somewhat, continuing their downward progress at a temporarily abated pace. It is clear, therefore, that while some of the newly-enfranchised electors seized the opportunity to vote, most of them did not. The curves which evidence these facts also warrant some pointed observations on human nature, revealing as they do that a majority of the new voters merely purchased an article, namely the privilege of voting, because it was cheap, and that having acquired the privilege they neglected to make use of it.

It is to be presumed that the legislative body had in mind certain purposes when it exempted the three groups here examined from payment of the poll tax. Among them, we may surmise, was that of fostering the interest in politics of the groups in question by removing the greatest legal obstacle to membership in the electorate. No effort has been made here to determine what proportion of the population legally eligible to claim exemption actually did so; but an examination of those who qualified to vote under the various statutory exemptions warrants the statement that, if such was the purpose of the legislature, that body is justified in entertaining a feeling of keen disappointment. Apparently electors place a value on the privilege of voting which corresponds roughly with what it costs them. If they acquire it free of charge, they hold it lightly and scorn elections; if they are forced to pay for the privilege, they vote as a usual thing—not improbably (in some part, at least) with the idea in mind of collecting on their investment! Quite patently the author here ignores significant factors, namely the ages and physical condition of those who are exempt. In age, one of the three groups is 21 years and under, another 60 and over, and electors do not vote as heavily at the extreme ages as in the medium ranges (*supra*, Section VII). Moreover, electors of the third group are not wholly free to decide whether they will or will not participate in elections, since they include some who are not physically able to vote. These words may be spoken in behalf of the tax-exempt elector, but, while they explain the condition described, they do not invalidate our conclusions. It is inescapable that the poll tax payer dominates the electorate, that his voice sounds with greater authority than mere numbers would lead one to expect, and that the tax-exempt elector is content in general to leave politics to those who pay for the privilege of voting.

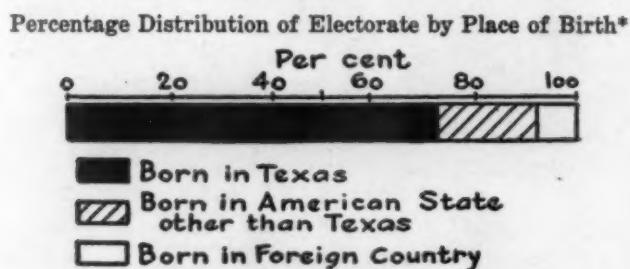
#### IX. NATIVITY

Somewhat removed from the subjects discussed heretofore but of such intrinsic importance as to merit more than passing attention is the problem of nativity. Where were the 14,400 electors of Austin born? What relation may be traced between place of birth and the vote? Here again the considerations on which the analysis rests are not qualitative in character, for it is not possible to ascertain how the electors of any particular place of birth voted. It is, however, quite feasible to determine whether or not

an elector voted, and thus to make a quantitative analysis of the voting and non-voting tendencies of the larger groups by nativity.

A casual perusal of the poll tax list will reveal that every American state and many foreign countries have been entered as places of birth by the electors of the city. To reduce this number to a convenient size the author devised a simple scheme of classification which established three place-of-birth categories. First, since it was apparent that the bulk of the electorate was born in Texas, this State was placed in a class to itself. Secondly, all other states of the American union were combined and given separate standing; and thirdly, all foreign countries were thrown together to form a distinct group. The electorate then was classified according to the criteria established, with results which may be seen from Chart XIV. Texas, it is seen, claims as native sons

CHART XIV



\*From the figures of Table XVIII.

TABLE XVIII

Percentage Distribution of Electorate by Place of Birth

	Per cent of electorate
Born in Texas	73.6
Born in American state other than Texas	19.5
Born in foreign country	6.9

and daughters 73.6 per cent of those qualified to vote; others of the United States claim 19.5 per cent; foreign countries must be content with no more than 6.9 per cent.

Table XIX gives data on the basis of which conclusions may be reached regarding the electors of these various categories as voters and non-voters. It will be observed at once that native Texans voted to the extent of 53.9 per cent of their number, while

TABLE XIX

Percentage Distribution by Place of Birth of Electorate,  
as Voters and Non-Voters

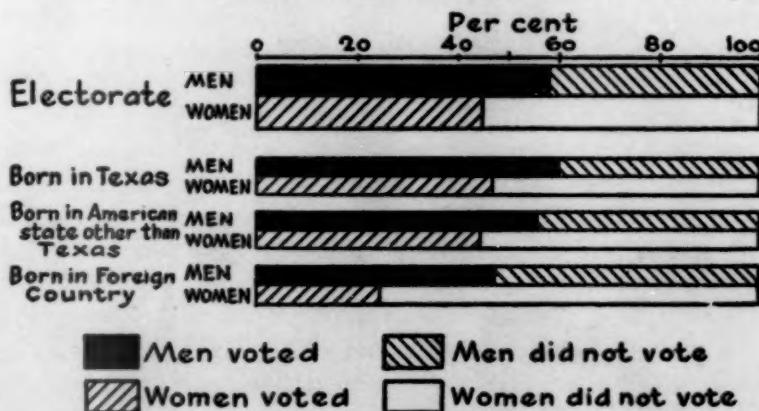
	Per cent voted	Per cent did not vote
Electorate	52.1	47.9
Born in Texas	53.9	46.1
Born in American state other than Texas	50.4	49.6
Born in foreign country	38.3	61.7

50.4 per cent of those American-born in other states than Texas voted, as compared with 38.3 per cent voters among foreign-born electors.<sup>21</sup> These facts are recorded graphically in Chart XV, which also affords opportunity for comparison by place of birth of males and females as voters and non-voters.

It is not the duty of the author to offer explanations for the phenomena he describes, except in those few instances where cause-and-effect may be related unmistakably from the data.

CHART XV

Percentage Distribution by Place of Birth of Males and Females,  
as Voters and Non-Voters\*



\*From the figures of Table XX.

<sup>21</sup>These findings may occasion some surprise. Lest it be surmised that they rest upon inadequate data, let it be noted that they flow from a sufficient number of cases in each instance to equalize any momentary tendency which might have thrown a smaller body of data out of balance. The cases total 2,803 in the instance of electors born in American states other than Texas, and 1,001 in the instance of those foreign-born. The data, therefore, are unassailable.

TABLE XX

Percentage Distribution by Place of Birth of Males and Females,  
as Voters and Non-Voters

	Per cent males voted	Per cent males did not vote	Per cent females voted	Per cent females did not vote
Electorate	58.1	41.9	44.7	55.3
Born in Texas	60	40	46.6	53.4
Born in American state other than Texas	55.4	44.6	43.8	56.2
Born in foreign country	46.8	53.2	24.6	75.4

Nevertheless it is not out of order in connection with the problem of nativity to comment briefly on a conjectural explanation which may suggest itself to the reader concerning the low vote among foreign-born electors. The State of Texas adjoins Mexico, and as a consequence the City of Austin has a considerable Mexican population, a goodly percentage of which was born in Mexico. Now, the Mexican elector is notoriously delinquent in the matter of voting (see *infra*, Section X). What more natural, therefore, than the assumption that these circumstances are sufficient to determine the character of the foreign-born group as voters and non-voters? Notwithstanding the seeming logic of this line of reasoning, an examination of the facts available reveals that the postulate is valid only in part; for if every person born in Mexico be taken from the list of foreign-born electors, the percentage of that group voting increases only to 44, that for non-voters dropping to 56. Thus, while the absolute percentage figures change by considerable sums, the relative positions of the three categories of electors are not affected by the operation. The plain truth, therefore, is that native Texans voted more heavily by an appreciable margin than the electors of either of the other groups; that those born in one of the United States other than Texas came second in the matter of electoral performance; and that those born in a foreign country ranked third, far behind the other groups. Since no explanation of these facts appears from the data, none is offered here.

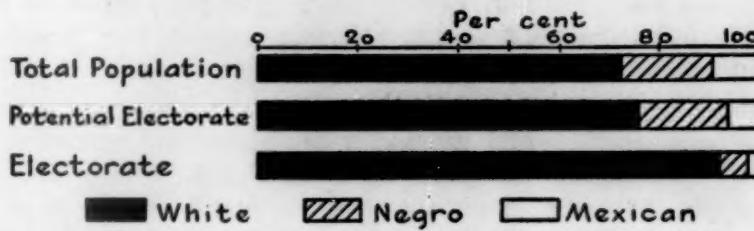
## X. RACE

Of all the problems which arise from consideration of the electorate, none commands more instant attention than that of race, nor are many more deserving of study. Since democracy is

looked upon by most as an institution indigenous to American soil, it is assumed that native white Americans the country over will react in about the same way, quantitatively at least, to the stimuli of our democratic way of existence. It is assumed further that other racial groups will react to the same stimuli in ways which will distinguish them from native whites and from each other. While the validity of these assumptions, and more particularly of the first, may of course be questioned, for present purposes let us suppose them to be valid. It becomes at once an interesting question, what do the data before us reveal with regard to the comparative electoral behavior of the various racial groups?

#### CHART XVI

Percentage Distribution of Total Population, Potential Electorate, and Electorate by Race\*



\*From the figures of Table XXI.

#### TABLE XXI

Percentage Distribution of Total Population, Potential Electorate, and Electorate by Race

	Per cent White	Per cent Negro	Per cent Mexican
Total population	71.9	18.6	9.5
Potential electorate	74.8	18.6	6.6
Electorate	91.9	5.5	2.6

Chart XVI provides us with some significant facts concerning the racial composition of population, potential electorate, and electorate. Each of the three categories is divided according to race into white, negro, and Mexican groups.<sup>22</sup> The population of the city, it will be noted, contains considerable numbers of negroes and Mexicans, though the whites predominate with a strength of 71.9 per cent of the total, as compared with 18.6 per cent for the

<sup>22</sup>A negligible number of Chinese are ignored in this section.

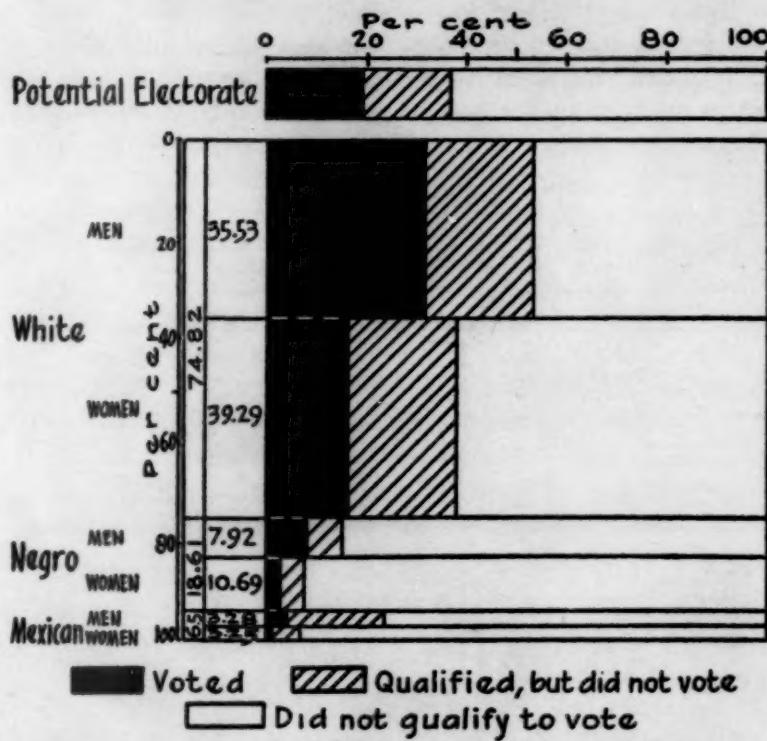
negroes and 9.5 for the Mexicans. Analysis of the potential electorate reveals no change in relative position, albeit the whites augment their strength by almost 3 per cent of the population, apparently solely at the expense of the Mexican element. Our investigation thus far, therefore, leads us to anticipate a considerable negro and Mexican influence in local politics, for each group possesses sufficient strength to make its presence felt.

Mere existence of a strong racial group is of little political consequence, however, unless its members qualify to vote, and it is here that the negroes and the Mexicans first fail to take advantage of the opportunity extended them. Chart XVI reveals that large majorities of these elements do not become electors, with the result that the whites increase in relative strength from 74.8 per cent of the potential electorate to 91.9 per cent of the actual electorate, while the negroes drop from 18.61 per cent to 5.5 and the Mexicans from 6.6 to 2.6. Neither negroes nor Mexicans, therefore, achieve the position of importance as electoral groups to which their numbers entitle them.

There is another and mayhap more significant criterion by which the electoral behavior of the racial groups may be compared; for if it is important that persons qualify to vote, it is yet more important that those qualified actually vote. If the racial elements under investigation be analyzed as electors and non-electors, and the former as voters and non-voters, the results recorded in Chart XVII are reached. Let it be noted here that this chart presents an analysis of the potential electorate, which was chosen for study because it was desired to compare the potential with the actual as well as the actual with the effective electorate in light of the factor of race. The chart presents two kinds of data: vertically, one may discover at a glance the component elements of the potential electorate by race and sex; horizontally, each group so defined is analyzed for its electoral performance. The facts presented vertically are self-explanatory. The analysis of each group, however, is worthy of some time and thought. The white portion of the chart represents those who were eligible to vote in respect of age, but who for various reasons did not qualify; the colored portion represents the electorate, which is divided in turn into voters and non-voters. The significance of this data, whose general meaning can be grasped in a moment, becomes greater when the chart is studied in light of the figures of

## CHART XVII

Percentage Distribution of Potential Electorate by Race and by Sex;\*  
 Percentage Distribution of Male and Female Racial  
 Groups as Voters and Non-Voters†



\*Fifteen Chinese, comprising .04 per cent of the potential electorate, are ignored here.

†From the figures of Table XXII.

TABLE XXII

Percentage Distribution of Potential Electorate's Male and Female Racial Groups as Voters and Non-Voters

	Per cent voted	Per cent qualified but did not vote	Per cent did not qualify to vote
Potential electorate	19.2	17.6	63.2
White men	31.2	21	47.8
White women	17.9	21	61.1
Negro men	8.6	6.8	84.6
Negro women	2.3	5.3	92.4
Mexican men	3.9	18.7	77.4
Mexican women	.8	5.9	98.3

the accompanying table. The facts here recorded constitute an accurate graphic comment not only on race and its significance for the student of the electorate but on the factor of sex as well.

The importance of race, therefore, is clear. The whites dominate the electorate, and by a larger majority than one would expect from a study of the population and the potential electorate. Further, within the electorate, the same group continues to evince a greater enthusiasm for politics than either of the others. Table XXIII provides data for a summary statement. It reveals that

TABLE XXIII

Percentage Distribution of Electorate by Race, as Voters and Non-Voters, as Male Voters and Male Non-Voters, and as Female Voters and Female Non-Voters

	Per cent electors voted	Per cent electors did not vote	Per cent males voted	Per cent males did not vote	Per cent females voted	Per cent females did not vote
Electorate	52.1	47.9	58.1	41.9	44.7	55.3
White	53.6	46.4	59.9	40.1	46	54
Negro	45.4	54.6	55.6	44.4	30.3	69.7
Mexican	16	84	17.3	82.7	11.8	88.2

59.9 per cent of the white males voted, as compared with 55.6 per cent of the negro males and 17.3 per cent of the Mexican, and that 46 per cent of the white females voted, as compared with 30.3 per cent of the negro females and 11.8 per cent of the Mexican. Both male and female electors, therefore, voted with ever less enthusiasm from white to negro to Mexican group, the last-named enjoying as voters only a small fraction of its potential electoral strength. The facts may be epitomized in these figures: among the white electors (disregarding sex), 53.6 per cent voted, among the negroes, 45.4 per cent, among the Mexicans, 16 per cent. It is to be doubted whether more extended consideration would produce a more pointed comment on race and the vote.

#### XI. SPECIAL GROUPS

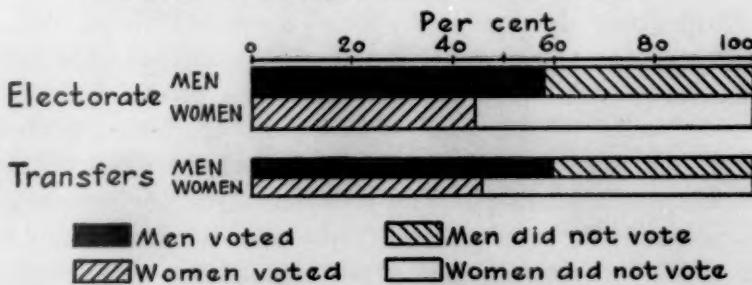
Let us turn now from an examination of the whole electorate to consider briefly certain special groups. The possibilities here are endless, since literally hundreds of such groups might have been singled out for discussion. Three only have been selected for present purposes, however, and among these the first comprises those voters who cast absentee ballots. Only forty-seven such

ballots were dispensed by the city clerk;<sup>23</sup> that is to say, only .6 per cent of the voters petitioned to vote absentee. Of these ballots, 66 per cent were delivered to male electors, and 34 to female. Every absentee ballot claimed of the clerk was returned marked except one;<sup>24</sup> 97.9 per cent of those who requested absentee ballots, therefore, actually voted. From these figures we may conclude (1) that absentee voting is not practiced by any considerable percentage of the electorate, (2) that male electors use the absentee ballot almost twice as much as female, and (3) that an overwhelming percentage of those who claim absentee ballots return them to be counted. Our conclusions are, of course, subject to the usual limitations imposed by the nature of the study.

A second special group selected for examination comprises the "transfers," that is, those electors who changed their residences between the time when their poll tax receipts were issued and the day of election. There were 348 such persons, equalling in number 2.4 per cent of the electorate, eligible to vote in the election of April 3. Now, the author approached this group with a definite hypothesis in mind, namely, that an elector sufficiently concerned to record a change in residence with the county tax collector probably would reveal his interest by casting a ballot in the election. Chart XVIII provides data for a comparison of the

#### CHART XVIII

Percentage Distribution of Electorate and of Transfers,  
Males and Females, as Voters and Non-Voters\*



<sup>23</sup>An absentee ballot may be voted in the office of the city clerk by an elector who anticipates leaving the city before election day, or it may be mailed out by the clerk to an elector who is out of the city temporarily.

<sup>24</sup>One ballot, mailed to a wife on vacation by her anxious spouse, was not returned!

TABLE XXIV

Percentage Distribution of Electorate and of Transfers,  
Males and Females, as Voters and Non-Voters

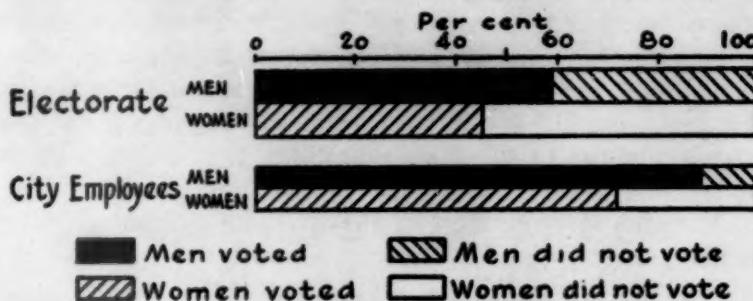
	Per cent males voted	Per cent males did not vote	Per cent females voted	Per cent females did not vote
Electorate	58.1	41.9	44.7	55.3
Transfers	59.9	40.1	45.2	54.8

electorate and the transfer group on the score of electoral performance, thus setting up a rough gauge by which the hypothesis may be tested. As may be seen, 58.1 per cent of the male electors voted, as compared with 59.9 per cent of the male transfers, and 44.7 per cent of the female electors voted as against 45.2 per cent of the female transfers. In the case of both male and female electors, therefore, the transfers enjoyed a distinct though not a marked advantage over the whole electorate in the matter of voting. The validity of the hypothesis thus seems to have been confirmed by the data at hand. It will prove of interest to note further that 6 per cent of the transfers voted in the wrong wards, as compared with 1 per cent of the total number of voters who committed the same offense. The transfer therefore may be said to be somewhat more enthusiastic as a voter than the non-transfer, though much more likely to cast an illegal ballot through offering to vote in a ward other than that in which he is qualified to vote.

A third group deserving of special mention includes the city employees. According to her April (1933) payroll, Austin has 646 employees, which we shall designate the potential electorate of the city hall. Of this number, 78.3 per cent (506) qualified to vote, as compared with the 36.8 per cent of the city's potential electorate which qualified. The relative voting performances of electorate and city employee electorate may be seen from Chart XIX, which indicates that 87.6 per cent of the male employee electors voted as compared with 58.1 per cent of the male electors. The figure for female employee electors is 71 per cent voters, as against a female electors' percentage of 44.7. The city employees, then, reveal a very great interest in politics: in the first place, they become members of the electorate in large numbers; in the second, having qualified, they vote by an overwhelming majority.

## CHART XIX

Percentage Distribution of Electorate and of City Employees,  
Males and Females, as Voters and Non-Voters\*



\*From the figures of Table XXV.

## TABLE XXV

Percentage Distribution of Electorate and of City Employees,  
Males and Females, as Voters and Non-Voters

	Per cent males voted	Per cent males did not vote	Per cent females voted	Per cent females did not vote
Electorate	58.1	41.9	44.7	55.3
City employees	87.6	12.4	71	29

If all elements comprising Austin's population were as election-minded as the municipal employees, this city would have no serious problem of non-voting.

## XII. SOME OBSERVATIONS ON CONTENT AND ON METHOD

The data above presented constitute in their sum an analysis of the electorate of the City of Austin as of April, 1933. In content, the study suggests a number of conclusions concerning the electorate, with special reference to the potential and the effective vote, sex, marital status, economic standing, occupation, age, method of qualifying for the vote, nativity, race, and special groups. Its net results eventuate in an accurate if not a detailed picture of the politically significant portion of the city's population.

In method, the author has attempted to make the study objective from beginning to end. To this purpose he has deliberately

refrained from conjectural comment which, while it perhaps would have added to the interest of the argument, would have introduced an element of doubt as to the accuracy of the data and of uncertainty concerning the validity of the conclusions. The care exercised has eliminated any question regarding either the author's preconceptions or possible errors in judgment. Errors there doubtless have been, but they have resulted from shortcomings in execution and not in judgment; and they are inconsequential in view of the 14,400 cases investigated.<sup>25</sup> But to note these facts is merely to reiterate the advantages of the statistical method, which it is no part of the author's present purpose to champion.

The significance of the study here brought to a close appears reasonably evident. A great deal of information of the greatest value may be had from a source which in the past has received too little attention, namely, election statistics. True, it is often difficult and in some instances it may be downright impossible to use this source,<sup>26</sup> but the possibilities which it offers for productive research nevertheless are boundless. Among the problems suggested by contemplation of those possibilities is the character and functioning of the electorate, whose key position in the democratic process entitles it to the most serious consideration by students of politics. But if the problem of the electorate is of the utmost importance, it is likewise limitless in scope. It is, therefore, or appears to the author to be, a fruitless task to attempt to treat the problem without assigning to it definite limitations of

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<sup>25</sup>One who takes the pains to investigate will perceive at once that the study reports 7,510 voters, while the official returns of the election of April 3 reported 7,874. On the face of the figures, then, the study rests on a body of voters too few by 364. This is an error of 4.6 per cent, reckoned from the official figures, and is larger than the study can assume comfortably.

Fortunately it does not have to carry the whole of the error. This is not the place to discuss election administration in Austin, but the truth is this: the author, after long and diligent search, failed to find (or to identify) on the poll tax list 325 names entered as those of voters on the poll lists. The reported vote, then, was 7,874, the vote recorded by the author 7,549, and that on which the study rests 7,510. The second figure represents the vote actually cast by duly qualified electors, as near as the author can determine it. The error chargeable to the study therefore is thirty-nine votes, or .5 per cent of the actual vote, and this the author cheerfully assumes. Any error over this figure must be charged to election administration.

<sup>26</sup>See Idella G. Swisher's article, "Election Statistics in the United States," in *The American Political Science Review*, XXVII, 422 ff.

time and space. The present study rests upon the theory that comprehension of the whole depends upon understanding of the component parts. It follows that, since the whole problem is the matter of primary concern, the analysis of a small portion is not of superlative intrinsic importance. The author is content to have this article regarded as a small contribution which, together with similar studies which it is hoped will be made in the future, will pave the way for an understanding of the electorate and an appreciation of the problems which it presents.

## YELLOW JOURNALISM AS A MODE OF URBAN BEHAVIOR

BY CARROLL D. CLARK

*The University of Kansas*

Among the cultural manifestations of recent times, yellow journalism holds a conspicuous, though by no means an honorific, position. Strange to say, considering the fact that the outstanding feature of "yellow" technique has always been to attract attention, the yellow press as a cultural phenomenon has largely escaped sociological scrutiny. Most of the few sociologists who have dealt with it have written not as sociologists but as moralists, adding their recriminations to the wholesale condemnation of religionists, *literati*, and welfare workers. As a natural consequence, little progress has been made toward an understanding of the "yellow" manifestation. Even today when most sociologists have learned to look with considerable objectivity at prostitution, crime, divorce, and race prejudice, there are those who still regard yellow journalism with moral abhorrence similar to that which King James I felt toward witchcraft.

One of the earliest, if not the first, of the attempts made by sociologists to get at the meaning of this type of journalism was essayed by W. I. Thomas.<sup>1</sup> While Thomas at that time joined the other critics in assuming an ethical attitude toward the yellow press, he felt the necessity of explaining it in social-psychological terms. "Of course the yellow journal is an immorality," he wrote, and "the most highly elaborated organ of untruth ever developed in the history of society." But the source of its badness lay "with the instinctive badness of human nature," the insatiable appetite of man for sensations in the form of horrors, crimes, disasters, and catastrophes.

Whatever definition or characterization of the yellow journal we may finally determine upon, we must recognize first of all that in its sensational elements we have to do with something which, though it does not appeal to what we are accustomed to call the better part of ourselves, appeals nevertheless to something lying very deep down in us, something of the nature of impulse or appetite, and almost as blindly elemental as hunger itself. An appetite of this

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<sup>1</sup>"The Psychology of Yellow Journalism," *American Magazine*, LXV (1908), 491-497.

nature, at once so powerful, so unanalyzable in consciousness, and so little amenable to intellectual oversight, may be assumed, from what we know of the laws of mental development to have a very early origin and to have been originally a trait of service to the species which it characterizes. . . .

A murder trial, a street or ring fight, a slanderous bit of gossip, a game in which you have a competitor to beat, and theatrical representations (which, whatever else may be said of them, are conspicuously reflections of conflict situations), are fascinating because they revive the elemental emotions. In the light of these facts it becomes plain that the yellow journal owes its existence to the persistence in men of primitive emotions of an essentially anti-social character, to the fact that emotions are pleasureable, no matter what their origin, and that people will pay to experience shock.<sup>2</sup>

Thomas' article written twenty-three years ago shows a keener appreciation of the social significance of sensational news than much that is written today. However, he followed the bias of the day in explaining what was essentially a cultural phenomenon in terms of inborn tendencies of human nature. There is little in his discussion, or in that of later writers, to suggest that the sensational newspaper may be the product of a social situation. Professor Park was perhaps the first American sociologist to approach the newspaper from the latter standpoint. The newspapers that today exist and are read, according to his view, are the product of social forces; the survivors of a long series of journalistic experiments in the struggle for circulation.<sup>3</sup> It can be shown, I think, that yellow journalism was a type that sprang up spontaneously in a definite social milieu, and that its chief elements continue to flourish so long as the conditions that called them forth maintain.

First let us consider what are the chief characteristics of the type of journalism known as "yellow." Thomas singled out news of a highly sensational character as its quintessential trait. By sensational news he seems to have meant that which appeals to primitive passions and is shocking to certain moral or aesthetic sensibilities. Sensational news was indeed a trait of yellow journalism, but it likewise characterized the "penny-shockers" of the preceding generation. Inspection of famous yellow sheets shows that their outstanding features also included an appeal to romantic impulses, a great deal of "personal" details about celebrated

<sup>2</sup>*Ibid.*, pp. 491-492.

<sup>3</sup>"The Natural History of the Newspaper," in Park and Burgess, *The City*, pp. 80-98.

or notorious individuals, muck-raking crusades, and a variety of news stunts, special features, and typographical devices to compel attention. In short, they employed human-interest material, particularly the news that shocks or thrills, as a circulation bait. They did not follow the method of objective reporting, but dealt with their material much after the fashion of the dime novel, the "penny dreadful," and the Gothic romance. The muck-rakers, sob-writers, scandal-mongers, and other "shock" troops of the "yellow" forces were crude but effective artists who combined a romantic sense of popular desires and frustrations with a kind of grim realism. The thesis to be set forth here is that yellow journalism was and, so far as it continues to exist, still is a phenomenon that arose as a response to the urban situation. True, the newspaper's entire development has been closely tied up with the growth of the city, since it is the latter which has forced the substitution of secondary for primary forms of association and has made reading a necessity. But the city in its present form is a very recent development. Early metropolises were merely aggregations of neighborhoods, drawn together for defense, rule, or commerce, and differing but little in fundamental organization from the country population around them. Even the population centers, like New York, Boston, and Philadelphia, where penny journalism flourished during the era of the elder Bennett, were for the most part concentrations of rural-minded communities within a small area.

The modern trend of urbanization began to gain momentum after the Civil War, and to modify rapidly traditional attitudes, culture complexes, and institutions. Economic specialization, social differentiation, and class segregation dissolved the old form of social solidarity based on informal and intimate relations in local areas. Gossip could no longer be purveyed from door to door until it became the property of the whole community. In proportion as the machine assumed the dominant place in widening fields of production, social life became mechanized and routinized, and the spontaneous desire for informal personal intercourse, for intimate participation in the thoughts and feelings of others, was thwarted. Experiences and interests became ever more divergent as specialization grew and mobility increased. Community of interest rather than community of residence became the basis of group organization, a fact that tended to fracture still further the fragmentary divisions of urban society.

Prior to 1880, newspapers had largely ignored news concerning the personal affairs of individuals. Such news was a matter for town talk or whisperings but not for printed publicity. While James Gordon Bennett had long before broken many traditions of privacy by brazenly publishing, in spite of horsewhippings and ostracism, news of bankruptcies, society balls, and religious meetings, his successors had made but little further headway in supplying spicy narratives of the personal doings of people. The new urban situation, however, made it inevitable that newspapers would sooner or later invade the realm of personal relationships and social transactions hitherto regarded as private. In the first place, city dwellers craved a substitute for the primary contacts and personal gossip which the social distance and the anonymous relations of the city had so largely undermined. Again, life in the city tended to become for great numbers a mechanical routine. Science and technology have rationalized the interests of life, but in so doing they have the effect of making them indirect instrumentalities rather than consummatory experiences.<sup>4</sup> The specialized pursuits by means of which most city folk earn a livelihood become ever more remote from food, sex, shelter and other primitive needs of human beings.<sup>5</sup> Shut in by walls of reticence and hedged about by depersonalized mechanisms, urban populations grow turgid with unsatisfied cravings. Yellow journalists discovered how to make news a surrogate for primary contacts and a romantic flight from the mechanized routine of workaday life. The manner in which this was accomplished is worth briefly noting.

Joseph Pulitzer, the first to introduce methods that were later to be known as "yellow," caught the fugitive attention of new masses of readers by muck-raking. He enlisted the public in a battle fought, avowedly, in its own interest. News, rather than editorial imprecations, became in his hands the chief weapon of assault upon graft, privilege, and political corruption. Damaging facts hitherto barred from the public were dug up and flung across the front page with little regard to the vested rights of institutions or the power of parties and prominent leaders implicated in the exposure. Muck-raking revived through the news columns the primitive passions of the manhunt. The "evil" attacked was hypostatized, or given some sort of tangible form,

<sup>4</sup>John Dewey, *Experience and Nature*, *passim*.

<sup>5</sup>Robert S. and Helen Merrel Lynd, *Middletown*, pp. 39-44.

often through identifying it with a conspicuous malefactor. As the exposure of conditions filled the news columns day after day, aided by blasts from the editorial guns, common sentiments were aroused and public consciousness was focused ever more intently upon the issue. The result was to "organize" the crowd somewhat in the manner described by Gustav Le Bon. Employment of the newspaper in muck-raking induced the phenomena of orgiastic behavior rather than the orderly and purposeful responses of collective action. Its significance lies in the emotional release from the frustration and strain imposed by the conditions of urban existence.

In the hands of William Randolph Hearst, who shares with Pulitzer the somewhat doubtful honor of inventing yellow journalism, news became a bauble to distract and amuse, or a series of "stunts" to electrify a pleasure-seeking audience. It is the Hearst element in modern journalism that has led Waldo Frank to characterize news as a toy. He taught his reporters how to extract the ultimate heart throb out of every story, to trace imaginatively the human-interest details, to describe minutely the personal reactions of the actors. Thus, urban newspaper readers were enabled to find in the news a more or less authentic substitute for the variegated train of emotional responses that accompanies the more intimate and informal types of social intercourse.

Consciously or no, Hearst made the discovery that the inhabitants of the modern city retain essentially the same appetites, desires, and motives, and are swayed by many of the same beliefs, sentiments, and superstitions, as their unlettered ancestors who lived in caves and village huts. The sophistication of the city man, he perceived, was no more than skin deep. The human nature of the cave man has adapted itself to the urban habitat without being fundamentally remodelled. Hence, age-old credulities, antipathies, and passions may be played upon with profit through the necromancy of head lines and sensational news writing. In the great metropolis, where the whole gamut of human happenings is reënacted daily, there was no dearth of material. The problem faced by the yellow reporters was to portray events of human interest in the form of art; to make the oft-repeated but still unique episode symbolic of some phase of the common experience. Thus, Hearst's "sob-artists" would take the bare facts of a penniless widow and her brood who had been ejected from a

tenement, and produce a narrative summing up all the travail of the poor in the slums.

If Hearst was not an artist, he was at least a showman. His papers were designed for the masses who found their lives mechanically ordered and dull. For these masses his papers became a hippodromic exhibition providing vicarious thrills. The Hearst Sunday papers entered into lively competition with the various rising agencies of commercialized recreation, more than holding their own in the contest to provide emotional joyrides for cash. The *New York Journal* publicly boasted that its comic section contained "eight pages of iridescent polychromous effulgence that makes the rainbow look like a lead pipe." Jazz, with its florid tonal color, flashy syncopation, and giddy excitement, is perhaps the best metaphor for Hearst journalism.

The wave of journalistic "jazzmania" was less a product of the man Hearst than of the impersonal forces culminating in the social psychology of city life. The regard the man himself as the seducer of a virgin public, as many moralists have done, is to credit him with a power that could exist only in one of his own melodramas. Such power as he exerted came from the fact that he too was an offspring of the forces molding urban existence, and as a result could intuitively diagnose the strain, the monotony, and the drabness of life in slums, factories, and skyscrapers, and devise a stimulant and escape.

The yellow journalists did not invent sensationalism, but they carried it to new high levels. Sensational stories or news are found in folk-tales, in medieval chapbooks, in broadside ballads, in almanacs, and in many of the earlier newspapers. What is the meaning of "sensational?" Usually an experience is sensational when it shocks or startles us, or defies our capacity to assimilate it to our stereotypes or moral predilections. Examination of old and new forms of sensational material leads to the conclusion that almost invariably they deal with events that fall in domains where objective knowledge is lacking and where emotional attitudes and uncritical beliefs hold sway. Such events arouse strong subjective reactions unguided by rational adjustment techniques, with the result that they are deemed marvellous, startling, or shocking. Yet even though the untutored mind may be shocked and repulsed by such episodes, it finds a fascination in the emotional thrill they arouse, a fascination that may sometimes border

upon morbid compulsion. Horrors, disasters, catastrophes, murders, executions, and supernatural terrors play a noteworthy part in folklore, classic and popular literature, and drama, as well as in journalism.

The significance of the extreme sensationalism of the yellow press appears when we examine the types of material treated. Where chapbooks, street ballads, and almanacs depended for source material chiefly upon natural catastrophes, freaks and monsters, ghost-fear, and the wiles of the Devil, the "yellow" news writers turned to the behavior of men in the new maze of social relations. In the urban habitat neighbors had become strangers, and conduct had become highly individuated. The break-down of custom and tradition had produced new and bewildering problems and brought about behavior that was frequently strange, violent and incomprehensible. Old crimes were committed in unprecedented ways, amours and scandals flourished, trusted leaders stooped to transactions of unbelievable corruption, and the Ten Commandments were broken in ways which, if not strictly novel, had at least never before been publicly broadcast. It was this weird and shocking social behavior within the gates rather than the external or supernatural forces of nature and the spirit world that aroused the orgies of sensationalism in the yellow sheets. Both the *méthérials* and the appetites for sensational news were autochthonous products of the urban environment. The morbid imaginations of profit-seeking publishers might devise techniques to satisfy the demand for such news, but they could not create that demand where it did not exist at least in latent form.

It was the city, then, with its disorganized areas and atomized personalities, its diversity of manners and morals, its conflicts of values and social definitions, and its confused involutions of human relations, that brought into existence the wave of extreme sensationalism. The experimenters in yellow journalism—Pulitzer, Hearst, Scripps, Bonfils, Goddard, and Brisbane—were merely brokers who speculated in a rising market. They hit on the news the public wanted to read and possessed the hardihood to publish it in the face of censure and contumely.

Yellow journalism, in the original sense of the term, may be said to have disappeared, except perhaps for its recent recrudescence in the tabloids. Its obsolescence did not come about so much from the abandonment of "yellow" methods as from a change in popular psychology. Sensationalism, jazz features, and

other "yellow" techniques were standardized, diffused, and, with modifications based on practical experience, accepted as a part of modern urban journalism. Thereafter they gradually ceased to be regarded as "yellow" to the masses of readers. The early yellow sheets were primers for the marginally literate, and as times went on probably most of their readers graduated to a more substantial newspaper fare.

The front page and the Sunday edition remain as permanent contributions of the yellow period. The former is the specialized center of the news of universal appeal. Here are still gathered the "big" stories, the latest developments in "running news" like murder trials or sensational exposures, the juiciest bits of scandal; in short, the high lights of the news that shocks and thrills. The front page is an urban institution—it represents the focus of the mind of the heterogeneous urban crowd. In its columns are reflected the symptoms of our major social problems.

The Sunday edition still remains as Goddard and other yellow editors created it—a vast literary department store. In its sections are represented the diversified interests, fads, and foibles of the city's multitude. It is scanned by the semi-literate man and by the savant; probably no species of popular literature is so universal.

Yellow journalism was the first not to overrate the intelligence of the average reader and to appreciate how fugitive and transitory is the attention of the urban newspaper constituency. What statesmen, educators, religious leaders, welfare workers, and other uplifters had failed to do, it accomplished—it induced a "dull-minded and reluctant" public to read. The sensational news and human-interest material in which it specialized was a response to urban needs, for it served as a surrogate for primary contacts, and enabled the city man to enter imaginatively into the thoughts and motives of the inscrutable throng. In this way, perhaps, yellow journalism has helped to create a moral order within the urban habitat.

## PUBLIC UTILITIES, AN EXPANDING CATEGORY

BY ALDON S. LANG

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1. **Introduction.** The partial breakdown in *laissez-faire* policy is not merely periodic. Since its inception, more than half a century ago, it has been abiding and cumulative. The simple economy in which *laissez-faire* philosophy was nourished has been transformed by the industrial revolution into a complex technological system, which has necessitated a revamping of both economic theory and state policy. It is being learned through bitter experience that competition is an unreliable regulator of prices and practices in certain industries. The first authoritative proclamation of a breakdown in *laissez-faire* policy was the edict of the United States Supreme Court in 1877,<sup>1</sup> sustaining state regulation of railroads and grain elevators. The substitution of regulation for competition was sustained as the only alternative for protecting and safeguarding the public welfare.

Found to be immune to the normal forces of competition, these industries were placed in a separate category, and labeled with the inscription, "affected with a public interest." They were permanently estranged from the "natural" order of *laissez-faire*. This was the precedent established in the famous Munn case. And only time could tell what a useful precedent it was.

The railroad, conceived and nurtured in the order of *laissez-faire*, appears to be perpetually alienated from its competitive inception and heritage. But railways and grain elevators were only the first of what was destined to be a rather prolific family of industries that have been characterized by the highest authority in the land as being "affected with a public interest." This label has been placed by the courts upon a whole series of industries, that now constitute an imposing category. We here present in summary the growth of the public utility concept in its broad meaning, as it has been extended and applied to various industries. The term "public utility," as here employed, refers not merely to the common carriers and municipal utilities, but to all industries that have been declared by the courts to be "affected with a public interest."

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<sup>1</sup>94 U. S. 130, 181, and 161 (1877).

When, or under what circumstances and conditions is public interest classification, and regulation, imposed upon an industry? Such a status is usually imposed upon an industry, in the first instance, by legislative action prompted by discontented constituents. The source of such action is the dissatisfaction of consumers or business patrons with what they regard as extortionate charges, discrimination, or some other form of unrighteous economic conduct. The object is to substitute a specially suited type of government control for intolerable conditions and practices that emerge under a policy of *laissez-faire*.

Then a particular business may become a public utility when special government regulation is super-imposed upon it without successful judicial contradiction. But the United States Supreme Court is the final arbiter as to the constitutionality of such legislative action, inasmuch as legislation generally is subject to judicial review. This tribunal has recently declared that, ". . . the mere declaration by a legislature that a business is affected with a public interest is not conclusive on the question whether its attempted regulation on that ground is justified. The circumstances of its alleged change from the status of a private business and its freedom from regulation into one in which the public have come to have an interest are always subject to judicial inquiry."<sup>2</sup>

2. Expansion of the Public Utility Category. The Munn case tested before the Supreme Court of the United States for the first time the doctrine that special legislative regulation may be imposed upon certain exceptional industries, in which economic interests are not protected by the free play of competitive forces. As applied to common carriers and grain elevators, the regulatory legislation was sustained. For about fifty years after this decision, the Supreme Court consistently sanctioned legislative expansion of the public utility category. The list of industries placed in this category either by federal authority, or by one or more state jurisdictions was compiled recently. This list includes:<sup>3</sup> steam railways, urban and interurban electric railways, carriers by water, wharf and dock companies, telephone, telegraph and wireless companies, insurance companies, messenger services, market ticket services, Boards of Trade, gas companies, electric light and power companies, heating companies, water companies, sewage

<sup>2</sup>Wolff Packing Company v. Kansas, 262 U.S. 536 (1923).

<sup>3</sup>Keezer, Dexter Merriam and May, Stacy, *The Public Control of Business*, p. 7.

disposal companies, booming and rafting companies, stock yards, commission merchants, creameries, hotels, toll bridges, ferries, tunneling companies, grain elevators, grist mills, ice companies, cotton gins and laundries.

In the Wolff Packing Company case,<sup>4</sup> decided in 1923, Chief Justice Taft summarized the rulings of the United States Supreme Court in cases involving classification of public interest enterprises as follows:

Businesses said to be clothed with a public interest justifying some public regulation may be divided into three classes:

1. Those which are carried on under the authority of a public grant of privileges which either expressly or impliedly imposes the affirmative duty of rendering a public service demanded by any member of the public. Such are railroads, other common carriers, and public utilities.

2. Certain occupations, regarded as exceptional, the public interest attaching to which, recognized from earliest times, has survived the period of arbitrary laws by Parliament or Colonial legislatures for regulating all trades and callings. Such are those of the keepers of inns, cabs, and grist mills.

3. Businesses which though not public in their inception, may be fairly said to have arisen to be such and have become subject in consequence to some government regulation. They have come to hold such a peculiar relation to the public that this is super-imposed upon them. In the language of the cases, the owner by devoting his business to a public use, in effect, grants the public an interest in that use and subjects to public regulation to the extent of that interest, although the property continues to belong to its private owner and to be entitled to protection accordingly.

Chief Justice Taft suggests that it is the indispensable nature of the service, and the exorbitant charges and arbitrary control to which the public might be subjected without regulation, that gives the public an interest in the industry and subjects the owner to regulation. Such a classification as this clearly indicates the elusive nature of public interest enterprises. Distinctive economic or legal characteristics of these industries are conspicuously lacking. It appears to the writer that about all we can say with reference to classifying such industries was well expressed recently by Mr. Justice Holmes. In his dissent from the majority opinion which rejected public interest classification and price fixing of the brokerage business in New York theater tickets he remarked, "I think . . . that the notion that a business is clothed

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<sup>4</sup>262 U.S. 535.

with a public interest and has been devoted to the public use is little more than a fiction intended to beautify what is disagreeable to the sufferers. The truth seems to me to be that, subject to compensation when compensation is due, the legislature may forbid or restrict any business when it has a sufficient force of public opinion behind it. Lotteries were thought useful adjuncts to the state a century or so ago; now they are believed to be immoral and they have been stopped. Wine has been thought good for man from the time of the Apostles until recent years. But when public opinion changed it did not need the Eighteenth Amendment, notwithstanding the Fourteenth, to enable the state to say that the business should end. . . . What has happened to lotteries and wine might happen to theaters in some moral storm of the future, not because theaters would be devoted to a public use, but because people had come to think that way."<sup>5</sup>

Substantially the same notion was expressed in the dissent from the same opinion by Mr. Justice Stone, when he declared that the phrase "business affected with a public interest . . . tends in use to become only a convenient expression for describing those businesses, regulation of which has been permitted in the past. To say that those businesses affected with a public interest may be regulated is but another way of stating that all those businesses which may be regulated are affected with a public interest."<sup>6</sup>

Who knows but that this is only the prelude to a comprehensive and thorough-going policy of regulation that will discard *laissez-faire* as a fanciful delusion, and relegate it to oblivion! The tempo of the expanding public utility category has been slow but steady. Perhaps this indicates a gradual public awakening to the view that, "The competitive system has been dying at the top."<sup>7</sup> "And," continues Veblen, "the decay has been spreading outwards and downwards as fast and as far as the other and lower branches of the industry have been sufficiently brought into line with the mechanical technology and so have become fit material for absentee ownership . . ." Public utility regulation is, of course, not the only means we have resorted to for controlling those industries in which competition has proved ineffective, but it is certainly one of our most significant weapons for such industries.

<sup>5</sup> *Tyson and Brother-United Theater Ticket Offices, Inc., v. Banton*, 273 U.S. 418 (1927).

<sup>6</sup> 262 U.S. 451.

<sup>7</sup> Veblen, Thorstein, *Absentee Ownership*, p. 77.

3. **Grounds for Public Utility Classification.** The particular thing that causes an enterprise to become affected with a public interest is not always one and the same. The Supreme Court, being unable to find a uniform and constant set of conditions that convert a private industry into a public utility, has cited a number of grounds to justify public interest classification. Since no one, not even the Supreme Court itself, has, as yet, found a common set of traits, economic or legal, that characterize the industries that have been placed in this category, we shall outline several of the grounds given in various decisions to justify such classification.

(1) **A Public Grant of Privileges.** In *Munn v. Illinois*,<sup>8</sup> the Supreme Court based its affirmative decision upon the English Common Law of common carriers, and upon the ground that the industry was indebted to the state for a "public grant of privileges." It held that it had been the custom in England from time immemorial, and in this country since the colonial era, to fix by law maximum charges for ferries, common carriers, hackmen, bakers, innkeepers, etc. Chief Justice Waite, in rendering the decision, stated that, "common carriers exercise a sort of public office, and have duties to perform in which the public is interested." From this he concluded that the railway business was "affected with a public interest."

(2) **Monopoly or Virtual Monopoly.** Although the decision in *Munn v. Illinois*, the first and most renown of the Granger cases, clearly anticipated judicial approval of the legislation specially designed for the regulation of railroads, it only affirmed the legislation that was aimed at grain elevators. Hence, grain elevators, held to be "affected with a public interest," were the first enterprises that were subjected to a settled policy of regulation. The Court based its ruling upon the fact that grain elevators occupy a strategic position which allows them to take a virtual monopoly toll. Neither medieval precedent nor a public grant of privileges was offered in justification of the decision.

(3) **An Incident to Transportation.** In 1892, the Supreme Court held in *Budd v. New York*,<sup>9</sup> that the business of elevating grain in the floating and stationary grain elevators and warehouses at Buffalo and New York City, constituted "an incident to the business of transportation, the elevators being indispensable

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<sup>8</sup>94 U.S. 130.

<sup>9</sup>143 U.S. 533.

instrumentalities in the business of the common carrier, and in the broad sense performing the work of carriers." This fact alone was deemed sufficient to place them in the public interest category.

(4) **Grounds of Analogy.** Again in 1894, the Supreme Court sustained state regulation of the small grain elevators in the agricultural communities of North Dakota where, admittedly, the supply of land for elevator sites was bountiful and low cost opportunities for entering the business numerous. There was neither monopoly nor vital connection with transportation. It appears that the business was highly competitive. Yet, the Court, in sustaining the regulation, stated that, "When it is once admitted . . . that it is competent for the legislative power to control the business of elevating and storing grain, whether carried on by individuals or associations, in cities of one size, and in some circumstances, it follows that such power may be legally exerted over the same business when carried on in smaller cities, and in other circumstances."<sup>10</sup> If there are those who still search for an orderly classification of the characteristics of public interest enterprises, this decision alone should convince them of the difficulty of their task.

(5) **Public Necessity of Compelling Coöperation.** Public interest classification of banks has been sustained on the ground that, "The power to compel, beforehand, coöperation, and thus, it is believed, to make failure unlikely and general panic almost impossible, must be recognized if government is to do its proper work. . . ." In approving the Oklahoma law of 1907 which levied a compulsory assessment upon all state banks to provide a guaranty fund for the payment of depositors of insolvent banks, the Court said: "We cannot say that the public interests to which we have adverted, and others are not sufficient to warrant the state in taking the whole business of banking under its control. . . . When the Oklahoma legislature declares by implication that free banking is a public danger . . . this court certainly cannot say that it is wrong."<sup>11</sup>

(6) **Supplying an Indispensable Service.** The business of fire insurance, in the language of the court, is "practically a necessity to business activity and enterprise."<sup>12</sup> Such businesses become

<sup>10</sup>*Brass v. Stoeser*, 153 U.S. 391.

<sup>11</sup>*Noble State Bank v. Haskell*, 219 U.S. 112 (1911).

<sup>12</sup>233 U.S. 389 (1914).

"the depositories of the money of the insured, possessing great powers thereby and charged with great responsibility. . . . Their efficiency and solvency are of great concern." The Court observes that "the price of insurance is not fixed over the counters of the companies by what Adam Smith calls the higgling of the market, but formed in the councils of the underwriters, promulgated in schedules of practically controlling constancy which the applicant for insurance is powerless to oppose." This decision was given in *German Alliance Insurance Company v. Kansas* in 1914. It was stated that fire insurance is one of those businesses which "by circumstances and its nature, may rise from private to be of public concern."

(7) Legislative Precedent. Although the doctrine that public interest enterprises are not so made by mere legislative fiat has been reiterated by the Supreme Court, cumulative legislative regulation is not without weight. In the decision cited above, the Court did take cognizance of the fact that existing "regulations exhibit it to be the conception of the law-making bodies of the country without exception that the business of insurance so far affects the public welfare as to invoke and require government regulation."<sup>13</sup> The decision in *Noble State Bank v. Haskell* was also based partially upon the ground that the guaranty fund device "was adopted by some states the better part of a century ago, and seems to have been unquestioned until now."<sup>14</sup>

This list of grounds that have been held sufficient to justify public interest classification of various industries, though not exhaustive, will perhaps suffice to show the elasticity of the public utility concept.

4. The Halt to Public Utility Classification. After fifty years of operation (since 1877) the judicial policy of sanctioning the addition of new industries to the public utility category was brought, temporarily, to a halt, by a series of adverse decisions beginning in 1927. The first of the reversal cases evoked a vigorous dissenting opinion from justices Holmes, Stone, Brandeis and Sanford. The majority opinion held unconstitutional a state statute limiting prices which theater ticket brokers could charge for the resale of seats in New York city theaters. Pointing out that theaters were unlike grain elevators, insurance companies, and other industries that have been placed in the public interest

<sup>13</sup>233 U.S. 412 (1914).

<sup>14</sup>219 U.S. 117 (1911).

category, the Court held them to be private enterprises, differing obviously and widely from industries that are "affected with a public interest."<sup>15</sup> But Justice Holmes regarded "theaters . . . as much devoted to public use as anything well can be," with Justice Brandeis concurring. Justice Stone contended that the issue was whether it was lawful to prohibit "the licensed ticket-broker, an intermediary in the marketing process, from reselling the ticket at an advance of more than fifty cents above the printed price," and not whether theaters are subject to regulation. His contention that New York City brokers had a virtual monopoly on the best theater seats resulted in extortionate prices, thus "involving serious injustice to great numbers of people who are powerless to protect themselves," and this, he concluded, with three of his colleagues concurring, justified the regulation of fees charged by ticket brokers.

The following year, 1928, a New Jersey statute regulating fees charged by private employment agencies was voided on almost identical grounds, with justices Holmes, Brandeis, and Stone dissenting.<sup>16</sup> Similar reasoning was employed by the Supreme Court in 1929, when it rejected an act of the legislature of the state of Louisiana regulating the price of gasoline.<sup>17</sup> Only Justice Holmes dissented from the majority opinion in this case. Finally, in a recent decision Minnesota was denied the right to regulate the price of milk charged by the large dairy proprietors of that state, and in 1932 Oklahoma was restrained from applying public utility classification and regulation to the ice business.

It seems clear that these cases have not merely decided concrete controversies, but that they also indicate a tendency toward conservatism. However, a recent case suggests that possibly the recent judicial halt to the extension of public utility classification to new industries was only temporary. The Hughes Court has sustained a New Jersey statute which limits commissions of insurance agents. This the Court has done on the ground that even a private insurance agency is affected with a public interest.

5. A Recent Texas Case. The Forty-second Legislature of Texas in 1932 enacted a law declaring the business of operating as a motor carrier of property for hire along the highways of

<sup>15</sup>273 U.S. 418 (1927).

<sup>16</sup>*Rupert Ribnik v. Andrew F. McBride*, 277 U.S. 350.

<sup>17</sup>*Albert S. Williams v. Standard Oil Co. of La.*, Docket No. 64, Oct. Term 1928 (Jan. 1929).

this state to be affected with a public interest. In seeking to protect existing carriers from competition deemed harmful to the public, the legislature attempted to regulate both common carriers for hire and private truckmen. It declared the right to operate a trucking business on a public highway to be a public franchise which no one can enjoy without the permission of the state, and defined this franchise as a "permit." The administration of the law was vested in the State Railroad Commission, which was given power to fix minimum rates not less than those for common carriers. The issue was promptly raised of whether the state can prohibit the exercise of a private calling in order to prevent harmful competition, and regulate the rates of a private business indirectly.

The act was contested on the well established principle that a legislature may not by its fiat convert a contract carrier into a common carrier, and that, while the state may regulate the highways, it may not regulate private business done upon them. This issue was decided recently in *Stevenson v. Binford*.<sup>18</sup> The act was sustained by a two to one decision rendered by Federal Judge Hutcheson, who spoke for the United States District Court of the Southern District of Texas. Because of its pertinence to the present discussion, we review this decision in some detail.

Referring to the Texas statute, the Court said, "Here is a case of a clear, a simple, a complete declaration of policy that the public has an interest in the business of carriage for hire over the highways of the state, a prohibition of the right to engage in such business except under a franchise, and an affixing to the enjoyment of a franchise the condition that the holder must become an integral part of the transportation system of the state, and must submit to the regulations applicable to his franchise as to rates and practices."

It was pointed out that the record in the case "teems" with evidence supporting the state's declaration of purpose and policy that the use of the highways is affected with a public interest, and that the conduct of unregulated business over it was bringing about the prevalence of the mischiefs and evils which the legislation was designed to avoid.

The Court approved legislative extension of public utility classification to private truckmen, and this contrary to recent rulings

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<sup>18</sup>53 Fed. 2nd 509 (U. S. Dist. Ct. S. D. Texas) (1931).

of the United States Supreme Court. It was remarked significantly that, "We think that the cases which have discussed regulatory statutes have and the status of a private carrier under them have discussed them too much from the standpoint of that status as fixed at common law, unaffected by statute, and that the overemphasis of his commonlaw status has operated erroneously to obscure the fact that he enjoys this status, not as a right, but as a privilege."

"We think it perfectly plain that, as he never had a right on the roads, but merely a privilege as to them, it is too much to say that, when the state undertakes to impose upon him conditions different from those characterizing him at common law, his privilege flowers under the Fourteenth Amendment into a right which the state may not impose."

Though this decision is at variance with more recent decisions of higher courts on similar issues, yet this Court was able to find grounds to justify its position that are strikingly similar to reasoning employed by the United States Supreme Court in approving the extension of public interest classification to industries in the past. The view of the Court was summarized as follows:

"We think, that if a state determines that the business of common carriage by rail and road may no longer, from the standpoint of public interest, be looked upon as a business entirely separate and distinct from that of contract carriers by road, that all of its available carriage services are so bound together and so interdependent that the public may not continue to have a safe and dependable system of transportation unless private carriers operating on the same roads with common carriers are brought under just and reasonable regulation, bringing their services into relation with those of common carriers theron, no just and valid reason exists why it may not be so."

This case was affirmed by the Supreme Court of the United States in 1932, thus extending again the public utility category.<sup>19</sup> In *Cahoon v. Smith*<sup>20</sup> similar legislation in the state of Florida was blocked by the Supreme Court of that state in 1930. And the Florida case virtually affirmed *Frost v. Railroad Commission of California* (1926),<sup>21</sup> where the United States Supreme Court

<sup>19</sup>Stephenson v. Binford, 53 Sup. Ct. Rep. 181 (1932).

<sup>20</sup>99 Fla. 1174, 128 So. 632.

<sup>21</sup>271 U.S. 583.

accepted the state court's view that a statute attempting to subject private carriers to common carrier legislation and regulation is unconstitutional.

The personnel of the Supreme Court has been altered materially since the Frost case was decided. There are those who now feel that the long-dissenting and liberal minority, composed of justices Holmes, Brandeis and Stone, has been transformed into a liberal majority composed of Chief Justice Hughes, and Associate Justices Brandeis, Stone, Roberts and Cardoza. If the political analysts are correct, then the old conservative majority now becomes the dissenting minority composed of Associate Justices Sutherland, Butler, McReynolds and Van Devanter.

One of the analysts has recently commented upon the significance of the senatorial rebuke given the Parker and Hughes appointments to the supreme bench in the following language:<sup>22</sup>

"Mistaken as to Hughes but right as to Parker, the Senate aimed their venom at these two men, when in reality, they were denouncing the Supreme Court itself, its judicial imperialism, its reading into the constitution of an outworn conception of economic individualism, its arbitrary invalidating of state laws designed to achieve a social and financial democracy."

6. Conclusion. We have attempted to summarize, all too briefly, a historical tendency of profound significance. In sketching this movement nothing has been said with reference to the wisdom or unwisdom of expanding indefinitely the public utility category. In fact, the issue of expanding this classification usually presents itself singly in connection with some particular industry. Hence the policy has been both opportunistic and pragmatic. It may be said in conclusion that the transformation of an industry from a private status into a public utility status has not always solved the problem of securing satisfactory rates and service. The problem of regulating satisfactorily the public utilities still bristles with difficulties. This situation is suggestive of the stockman who kept adding wild horses to his fold at a more rapid rate than the old steeds could be harnessed and tamed. Albeit, comes now the N. R. A. predicated upon the premise that all industries are, or may be, affected with a public interest and subjected to thorough-going regulation. It remains for the Supreme Court to decide the ultimate fate of this issue.

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<sup>22</sup>Pollard, J. P., *Forum* 86; 193, Oct. 1931.

## SLAVERY AND COTTON PRODUCTION IN TEXAS

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The history of slavery in Texas, in as far as it is of importance to cotton production in the state, begins with the year 1821, when Moses Austin received permission to plant an Anglo-American colony in Texas. There may have been a few negroes in the little towns of La Bahia (Goliad) and Bexar (San Antonio), but the number was insignificant and limited almost entirely to the wealthy families.<sup>1</sup> The petition of Moses Austin to settle a colony in Texas was granted in January, 1821, but no mention was made of slavery in the petition or the grant. Stephen F. Austin was recognized as the heir to his father's grant after Moses Austin's death. The plan which Stephen F. Austin drew up in 1821 for the distribution of lands provided that each head of a family should have 640 acres for himself, besides 320 for his wife, 160 for each child, and 80 for each slave. Single men, 21 years of age, were to have 640 acres each.<sup>2</sup> Governor Martinez gave Austin permission to promise land to his colonists in this proportion.

In approving Stephen F. Austin's plan for the distribution of land, the government of Mexico substantially encouraged the introduction of slaves into the new settlement. Many immigrants found their way into Texas before the summer of 1822 and were granted land in accordance with Austin's plan. They were almost all from the Southern states, and many were owners of at least a few slaves. The slaves brought into Texas seem to have been owned, in the main, by American settlers. There were many colonists who had none. Some colonists, however, possessed a large number and came to Texas with the intention of opening large plantations, similar to those in the Mississippi bottoms. The number held by most slave-holding families, though, ranged from two or three to perhaps 15 or 20. The total number of slaves in

<sup>1</sup>Lester G. Bugbee, "Slavery in Early Texas History," *Political Science Quarterly*, XIII (1898), 389-90.

<sup>2</sup>George P. Garrison, *Texas* (Boston and New York, 1903), pp. 141-47. See *Austin Papers*, edited by Eugene C. Barker, Vol. II, Part I, p. 422. This plan, however, was abrogated by the law which gave a total of a league (4,428 acres) to the heads of families and one-fourth of a league (1,107 acres) to unmarried men for purposes of farming and cattle-raising.

1829 was estimated by a Mexican official as something more than 1,000.<sup>3</sup> Even as late as 1844, however, a traveler going through Texas from a slave-holding state was surprised to find the proportion of slaves so small.<sup>4</sup>

In 1823 Austin's efforts in Mexico prevented the Mexican Congress from abolishing slavery and secured permission for his colonists to bring in slaves, although the children born of these slaves were to be free at the age of 14. This law was abrogated by the succeeding government, but Austin's first colony was settled under it. The Mexican Federal Law of 1824 prohibited slave trade, though the authorities in Coahuila and Texas did not so construe it. The Constituent Congress of Coahuila and Texas was bitterly opposed to slavery; but Austin and others attenuated this hostility, and the state constitution adopted by Congress in 1824 allowed immigrants to bring in their slaves for six months. After the promulgation of the document, however, the children of the slaves were to be free at birth.<sup>5</sup>

In September of the same year, Congress enacted a law to carry out the provisions of the constitution, and for the first time it became illegal for settlers coming to Texas to bring their slaves with them. In 1828 the government of Coahuila and Texas provided means for evading the law by legalizing contracts made in a foreign country, and the American settlers continued to come with their slaves, now called *indentured servants*. Masters were allowed to demand the cost of the removal of the servant to Texas plus his value in the state from which he was transported. The necessary cost of clothing was to be deducted from the servant's wages, and the wages were set at \$20 per year. The children should serve on the same terms as the father, wages to begin when the child reached 18. Other children born in the state were to serve their masters until they were 25 without pay. After the expiration of the 25 years, the children born after the removal to Texas were to continue serving on the same plan as the father until all debts due the master were paid. Such a contract was signed by the master and certified by the notary's seal. The signature of two witnesses made the negro thus brought into Texas as

<sup>3</sup>Bugbee, *op. cit.*, pp. 309-391, 663-65.

<sup>4</sup>Francis Moore, *Description of Texas* (New York, 1844), p. 27.

<sup>5</sup>Bugbee, *op. cit.*, p. 667.

truly a slave as if his master had remained in the United States. The free negro was neither wanted nor allowed in Texas.<sup>6</sup>

Discontent arose in Texas after President Guerreo promulgated an emancipation decree in 1829. Sedition in Texas threatened, and the President, moved by fear of revolt, excepted Texas from the operation of the decree. The law of April 6, 1830, made no change in the status of slaves then in the country.<sup>7</sup>

In April, 1832, the legislature of Coahuila and Texas passed a new colonization law which drew the slavery restriction closer by reducing the term of labor contracts to ten years, and the further introduction of slaves was barred by federal law and state constitution. The status of slavery retarded immigration, and the recurrent threats of emancipation kept up a state of apprehension among the colonists. The state constitution and the federal law of April 6, 1830 had unmistakably forbade the further introduction of slaves. The state law of 1832, limiting labor contracts to ten years, narrowed the door for evasion to a mere loophole. Austin, however, as late as 1835, was in favor of making Texas a slave state.<sup>8</sup>

Slavery was a decided influence in the colonization of Texas. When the news spread through the United States that Mexico was hostile to slavery, many anxious letters reached Stephen F. Austin from prospective immigrants. Many planters had a keen interest in Texas, but slaves were valuable property and not to be lightly risked. Moreover, the golden promise that attracted people of the planter class was cotton. They recognized the conditions that were to make Texas a great cotton producing area. If slavery were safe in Texas they would go there; but if it was not they could comfortably remain at home. They wished to take no chances. But for the planters in Texas, Mexican hostility to slavery was a more critical issue. Their property was endangered and their future prosperity threatened. Only rapid and efficient immigration could develop the country, enhance the value of their lands, and bring them the comforts of civilized society. Since they believed that this depended upon the continuance of slavery, they naturally strove to maintain it. Austin's colony in 1829 had

<sup>6</sup>*Ibid.*, pp. 410-12.

<sup>7</sup>*Ibid.*, p. 668.

<sup>8</sup>Eugene C. Barker, *Mexico and Texas, 1821-1835* (Dallas, 1928), pp. 81-86.

443 slaves, owned by 69 families.<sup>9</sup> By 1834 the number of slaves in Texas was about 2,000.<sup>10</sup>

Although at the beginning of Texas colonization the Mexican government reluctantly tolerated slavery, it was consistently hostile to the institution. Slaveholders contemplating immigration into Texas manifested great anxiety concerning the status of slavery there; and after settlement they opposed abolition and evaded the government's efforts to prevent the further introduction of slaves. Their reasons were two-fold: they did not wish to lose their property, and they were profoundly convinced that the development of Texas, and consequently their own prosperity, depended upon an abundance of slave labor. But there was no purpose on the part of immigrants, according to Professor Barker, to wrest Texas from Mexico and to enlarge the slave area of the south.<sup>11</sup>

In the early period Texas was sparsely settled from Bexar to the Sabine River. West of Bexar (San Antonio) and extending to the Rio Grande, the country was unsettled. The agricultural methods were crude and good implements scarce. The people, as a rule, lived in log houses and cultivated the river-bottom land which had to be cleared of timber or cane. The vast prairie lands were regarded as more suitable for grazing than for farming. Abundant pasturage was afforded on the thin and sandy coast land for stock of all varieties. The labor on Texas farms was done by the farmer and his slaves, if he owned any. The Texans were slaveholders but not on an extensive scale. Large plantations with a hundred or more negroes did not gain the foothold in Texas that they did in the old South. One negro family was more often the rule than a crew of fifty slaves. The farmer ordinarily worked side by side with his slaves.<sup>12</sup>

Colonel Jared Ellison Groce, the first cotton planter in Texas, came to the state in 1821, bringing with him one hundred negro slaves. In 1822 he planted the first cotton and began its culture

<sup>9</sup>Eugene C. Barker, "The Influence of Slavery in the Colonization of Texas," *Southwestern Historical Quarterly*, XXVIII (1924-25), 7-8, 32.

<sup>10</sup>See Juan N. Almonte, "Statistical Report on Texas, 1835," *Southwestern Historical Quarterly*, XXVIII (1924-25), 177-222.

<sup>11</sup>Eugene C. Barker, "The Influence of Slavery in the Colonization of Texas," *Southwestern Historical Quarterly*, XXVIII (1924-25), 32-33.

<sup>12</sup>Abigail Curlee, "The History of a Texas Slave Plantation," *Southwestern Historical Quarterly*, XXVI (1922-23), 88.

on a limited scale. In 1825 he began to ship cotton to New Orleans. Colonel Groce soon became the richest planter in Texas with a vast landed estate, owing to the fact that, under the regulations of Stephen F. Austin's first colonial grant, he was entitled to eighty acres of land for each slave introduced in addition to his head-right.<sup>13</sup> The Colonel was one of the largest slave owners in Texas prior to the Texas Revolution.

It was estimated that there were 5,000 negroes in Texas in 1836. The same estimate gives the Anglo-American population as 30,000, the Mexican population as 3,470, and the Indian population as 14,200.<sup>14</sup> The estimate of 5,000 negroes is rather a large increase over the 2,000 estimated for 1834, although there had been a rapid immigration in the latter part of 1834 and throughout 1835. Absentee ownership did not exist in Texas, nor was there much of a free labor supply. At this early date land was so cheap and so easily obtained that even the poor man had the opportunity to obtain a farm where he could make a living with a minimum amount of labor. It was the custom for neighbors to exchange labor. The farm work was often long and hard; and the returns, as now, were not always commensurate with the labor. Most of the early writers on Texas history agreed that cotton was one of the most extensively cultivated crops and that it was well adapted to the soil. Corn was the staple food for man and beast, and most of the corn crop was for home consumption. Much of the cotton was exported to New Orleans. On the whole, the people seem to have lived on what they and their slaves produced. Land was so cheap and fertile that they made no effort to conserve the soil but planted practically the same crops year after year.<sup>15</sup>

Abigail Curlee, writing about an early Texas slave plantation, reveals that the plantation yearly produced cotton for exportation. This writer maintained that corn was not only the staple food of the South but in one form or another was the dependence of Texas.<sup>16</sup> Potatoes, like corn, were a staple crop. Slaves were hired out and other slaves were employed by planters when extra help was needed. There was some work which the slaves and overseers could not do; so white help was often called in to do it. This

<sup>13</sup>Rose Groce Berthleth, "Jared Ellison Groce," *Southwestern Historical Quarterly*, XX (1916-17), 361.

<sup>14</sup>H. K. Yoakum, *History of Texas* (New York, 1855), Vol. II, p. 197.

<sup>15</sup>Curlee, *op. cit.*, pp. 89-91.

<sup>16</sup>*Ibid.*, pp. 91-99.

would point to the inference that the negroes on the plantation were field hands and unskilled in any trade. Many of the negroes were allowed small patches of their own where they planted cotton, corn, and vegetables. Slaves were usually allowed to rest on Sunday and when they worked on Sunday were paid for their labor.<sup>17</sup>

The slavery question in Texas was one of the causes of the Texas Revolution. Agriculture was the principal industry in the state at the time of the revolution. The problem of a labor supply was important, as most farmers owned at least as much land as they could cultivate.<sup>18</sup> In 1832 the *Niles' Weekly Register* stated that the introduction of slaves into Texas by emigrants from the United States seemed to excite the attention of the Mexican government, but the colonists, in order to safeguard their property, talked of resisting the laws.<sup>19</sup>

When hostilities broke out between the Anglo-American settlers in Texas and the Mexicans, deep interest was evidenced in the cause of the struggling colonists by their brethren in the United States. Several of the United States newspapers argued against the acknowledgment of Texas' independence, while others wished to recognize the independence of Texas. The appeals of the Texas authorities for aid, the inducements in the way of land offered volunteers, and the account of Fannin's Massacre were all broadcast through the United States and served to arouse the keenest interest in the fate of the Texans. Much harm was done the Texan cause, however, by unfavorable reports of the state brought back by disappointed immigrants and published in the papers and journals of the United States.<sup>20</sup>

One of the reasons for the friendliness of the United States newspapers to Texas was that the possible independence of Texas had a direct bearing upon the further extension of slavery. Other newspapers in the United States were against the Texas cause for the same reasons. The majority of the newspapers in the United States, however, were friendly to the fight of the Texans for independence. The attitude of these newspapers did much to

<sup>17</sup>*Ibid.*, pp. 97-114.

<sup>18</sup>Eugene C. Barker, *Mexico and Texas, 1821-1835* (Dallas, 1928), pp. 72-81.

<sup>19</sup>*Niles' Weekly Register* (1831-32), XLI, 472.

<sup>20</sup>J. E. Winston, "The Attitude of the Newspapers of the United States Toward Texas Independence," *Proceedings of the Mississippi Valley Historical Association*, VIII (1914-15), 160-166.

cause men to leave the United States and to fight with the Texans as well as to cause others to give material aid to the Texans.<sup>21</sup>

After Texas won her independence from Mexico, the question of possible annexation to the United States was one that was influenced greatly by the matter of slavery. As early as January 11, 1837, the *Telegraph and Texas Register* predicted a bitter contest between the North and the South over Texas. The statement of this paper follows:

... that Texas will be the cause of a severe sectional struggle is almost certain. Either the establishment of her independence as a separate state or her admission into the Union, would tend greatly to strengthen the South, and to insure the stability and security of Southern institutions, placing the question of slavery beyond the reach of Northern agitation.<sup>22</sup>

A letter to Henry Clay in the same year stated that the annexation of Texas would extend and perpetuate slavery.<sup>23</sup>

The eyes of the South for some time had been turned to Texas as a new market for slaves, as a new field for slave-labor, and as a vast accession of political power to the slave-holding states.<sup>24</sup> The United States government was much interested in the annexation of Texas. President Tyler placed the question of the annexation of Texas upon the broad ground of the importance of the cotton plant to the country, and the danger that Texas would speedily throw herself in the arms of other nations already outstretched to receive her. Tyler feared that if this happened Texas, manacled by commercial treaties or engagements of a more close and embarrassing character, would be not only lost forever to the United States but would become its most dangerous neighbor.<sup>25</sup> General Andrew Jackson thought that Great Britain would be a great threat to the United States if Texas went to Great Britain. He believed that if Texas belonged to Great Britain, that state

<sup>21</sup>*Ibid.*, pp. 168-175.

<sup>22</sup>*Telegraph and Texas Register*, Columbia, January 11, 1837.

<sup>23</sup>William Channing, *Letter to Henry Clay on the Annexation of Texas* (Boston, 1837), p. 35.

<sup>24</sup>John Scoble, *Texas, Its Claims to be Recognized as an Independent Power by Great Britain* (London, 1839), p. 39.

<sup>25</sup>Lyon Gardiner Tyler, "The Annexation of Texas," *The Magazine of American History*, VIII, Part 1 (1882), 381.

would so adjust her revenue laws as to give the greatest possible stimulus to cotton culture.<sup>26</sup>

An early Texas writer feared that if Texas were annexed to the United States the number of slave-breeding states would be increased.<sup>27</sup> The free states of the North protested against the annexation of Texas to the Union simply on the ground of its turning the balance of power in favor of the slave states.<sup>28</sup> The principal objection entertained by the northern section of the United States to the annexation of Texas was her slave-holding constitution.<sup>29</sup> Texas was annexed to the Union, however, in 1845. The annexation of Texas and the spread of cotton culture to its prairies resulted in an increase in the price of slaves. Everywhere in the slave region the value of the negro as a cotton cultivator determined his price.<sup>30</sup> The increased demand for slaves was met in the case of Texas not only by an advance in prices but by the planters of the older cotton states turning their attention from their former pursuits to that of slave breeding.<sup>31</sup>

Many people who had been accustomed to slaves did not believe that the white man, especially the Northerner, could raise cotton as successfully as the negro. As late as 1866 William Barbee, writing on the cotton question, declared that the white man fresh from the North could not endure the labor in the cotton field during the summer. Barbee, however, believed that with proper care and prudence the Caucasian accustomed to labor could work in the cotton field, although he could not stand it as well as the negro. Barbee stated that wherever the negro had been compelled to work by contract and had the superintendence of a white man he did well, and that the nearer the negro was made to approach the position of a slave, the better he labored.<sup>32</sup> Christy, in 1855, strongly contended that slavery would continue as long as cotton was widely produced in this country. He stated that King Cotton

<sup>26</sup> Andrew Jackson, *Opinions of Andrew Jackson on the Annexation of Texas* (Charleston, 1844), pp. 2-3.

<sup>27</sup> Orville Dewey, *Discourse on Slavery and the Annexation of Texas* (New York, 1844), p. 13.

<sup>28</sup> Doran W. Maillard, *The History of the Republic of Texas* (London, 1842), p. 151.

<sup>29</sup> John B. Newman, *Texas and Mexico in 1846* (New York, 1846), p. 15.

<sup>30</sup> Matthew B. Hammond, *The Cotton Industry* (New York, 1897), pp. 51-52.

<sup>31</sup> *Ibid.*, p. 59.

<sup>32</sup> William J. Barbee, *The Cotton Question* (New York, 1866), p. 103.

did not care whether he employed slaves or freemen as it was cotton, not the slaves, upon which his throne was based. Christy remarked that King Cotton had no evidence that colored men could grow his cotton except in the capacity of slaves. It was King Cotton's policy, therefore, to oppose emancipation.<sup>33</sup>

The Germans who came to Texas for the most part settled west of the Guadalupe. Among the principal German settlements were Industry, Cat Spring, New Braunfels, Fredericksburg, and La Grange. The German settlers did not own slaves. The slave-holders in Texas were the wealthy Americans. These Americans encouraged the use of slave labor. Olmstead, after his trip through Texas, did not believe that there was much chance of Texas being a free state. But he stated that if the Germans continued to flock into the country, Texas would acquire all the characteristics of a free labor community. The cotton picked by Germans in Texas was usually worth from one to two cents more per pound than that picked by slaves in the same township by reason of its cleanliness.<sup>34</sup>

Olmstead declared that there was not the slightest weight of fact to support the opinion then prevalent that the labor necessary for cotton tillage was too severe for white men in the cotton-growing climate. Moreover, he maintained that there was hardly in the South as striking an instance of pure free-labor upon cotton fields as that of the Germans. Olmstead attributed the superior profits of the Texas planter over the farmer who cultivated his own crop to the fact that the planter could own his own gin, that the planter dealt directly with the exporter, that the planter could sell in large lots which brought higher prices per bale than small lots, that the planter used better machinery, and not to the fitness of the climate for negro labor, and its unfitness for white labor.<sup>35</sup>

Before the Civil War there were many sources of disagreements between the Americans and the Germans. The German farmers, cultivating their lands more judiciously and using more intelligent economy, often raised more cotton per acre than the American planters. The so-called "free cotton" brought more per pound in the markets than that picked by slaves in the same locality. The

<sup>33</sup>David Christy, *Cotton is King* (Cincinnati, 1855), pp. 185-87.

<sup>34</sup>Frederick F. Olmstead, *A Journey in the Back Country* (London, 1860), p. 347.

<sup>35</sup>*Ibid.*, pp. 349-50.

thousands of German farmers who were continuously and persistently toiling and improving their lands and crops naturally became formidable competitors of slave labor on the American plantations. This competition naturally increased the lack of harmony between these different elements of population. The planters became jealous of the German immigrants, while the latter felt that slavery lessened their own value and favored the abolition of slavery for moral reasons.<sup>36</sup>

The German immigrants were plain people, striving by hard and conscientious labor to establish homes for themselves and their families. The American planter and slaveholder firmly believed that manual labor was degrading, and looked with contempt upon the German farmer, plowing his fields and harvesting his crops. This mistaken conception of race superiority was the result of the American rule over slaves and continued for some time after the Civil War and after slavery was legally abolished. Life on the plantations cultivated by slave labor was quite different from that on German farms. The planter and slave owner with his family generally indulged in a life of ease and indolence while the German farmers worked continuously, even on Sundays.<sup>37</sup>

The number of slaves introduced into Texas from outside the United States before the Texas War of Independence was small. A few smugglings of Africans came by way of Cuba and consisted of slaves just landed on that island. A few years after the Republic was established three other importations were made. These, however, were about the only introductions of slaves from any other country than the United States ever made in Texas.<sup>38</sup> People, as late as 1857, were urged to emigrate to Texas with their negroes,<sup>39</sup> in order to grow cotton, grains, and fruits.<sup>40</sup> The number of slaves in Texas increased greatly after the annexation of Texas to the Union. In 1841 Kennedy estimated the number of slaves in Texas not to exceed 10,000.<sup>41</sup> The Federal Census of 1850 estimated the number of slaves in Texas to be 58,151; and by 1860, according

<sup>36</sup>Moritz Tiling, *The German Element in Texas* (Houston, 1913), pp. 130-31.

<sup>37</sup>*Ibid.*, pp. 127-130.

<sup>38</sup>R. M. Potter, "The Colonization of Texas," *The Magazine of American History*, VIII, Part I (1882), 161.

<sup>39</sup>D. E. E. Braman, *Information about Texas* (Philadelphia, 1857), p. 10.

<sup>40</sup>See Joseph B. Lyman, *Cotton Culture* (New York, 1868), p. 71.

<sup>41</sup>William Kennedy, *Texas* (London, 1841), p. 383.

to the Federal Census of 1860, the number of slaves in Texas had increased to 182,566.<sup>42</sup> The strongholds of slavery in Texas in 1861 were principally along the river lands of the Colorado, Brazos, Trinity, and Sabine rivers.<sup>43</sup>

When the question of secession from the Union arose, the majority of Texas planters were in favor of the Southern view. Slavery had existed in Texas since the Anglo-Americans had first pushed their way into the wilderness; and climatic conditions, agricultural development, and constant immigration from the older Southern states had contributed to the spread of the institution. It had rooted itself most firmly along the river lands of the populous eastern and southeastern counties.<sup>44</sup> Here the plantation system was in almost exclusive possession of the country, and economic and social conditions were practically identical with those existing in the older slave states. In the other regions there were fewer slaves and, correspondingly, more free labor. The northern counties contained a number of settlers from Illinois, Indiana, and Kentucky who were mostly non-slaveholders. The frontier counties, running south through the middle of the state, had only a small proportion of slaves; and the southwest, with a heavy German population, had fewer still. In these districts, except possibly the last, the absence of slaves argued no hostility to the ownership of human chattels, but simply inability to own them. Texas, prior to the Civil War, was a new country, and most of the people were poor. Every year of slavery saw Texas, standing between the Old South and the New West, drawn closer to the former. Thus, it was inevitable that Texas would be so strong for secession. Texas was formally admitted to the Confederacy on March 1, 1861.<sup>45</sup>

In general, Texas was fairly prosperous during the Civil War, especially during the first two or three years. She lay well outside the circle of conflict; no hostile armies laid waste her towns and fields or withdrew her slaves from the plantations. Good crops were raised every year, and slaves were more plentiful than ever before, for great numbers of them had been run in for safe keeping from Louisiana, Arkansas, and states even farther east.

<sup>42</sup>See Census of 1850, pp. 503-504, and Census of 1860, Volume on Agriculture, pp. 240-42.

<sup>43</sup>See Hammond, *op. cit.*, pp. 60-62.

<sup>44</sup>Charles W. Ramsdell, *Reconstruction in Texas* (New York, 1910), p. 11.

<sup>45</sup>*Ibid.*, pp. 11-12.

Texas was in a position to render a service to the Confederacy in furnishing not only supplies from her own fields and ranches but also, by way of Mexico, from Europe.<sup>46</sup>

Slavery in Texas during the Civil War remained essentially unimpaired, as the state was undisturbed by invasions. Long before the slaves were freed by Granger's Proclamation at Galveston on June 19, 1865, it was generally believed that they would eventually be freed. Many had been freed by their masters, and many had slipped from their homes and begun roaming the country. But the majority were kept at home to await Federal action. The slaves, however, would not work when it was definitely known that slavery was to cease; and, therefore, the crops could neither be cultivated nor gathered. In his emancipation proclamation issued at Galveston on June 19, 1865, General Granger declared that in accordance with the Presidential Proclamation all slaves were free, and this involved an absolute equality of personal and property rights between former master and slaves. He advised the blacks to remain at home and work for wages and warned them that they would not be supported in idleness at military posts or elsewhere. Efforts were at first made to keep the negroes under strict supervision, but the army posts were too far apart to keep all the negroes under surveillance, and vagrancy among the negroes resulted. The freedmen were too ignorant to understand that their new freedom did not mean immunity from work and that they would not be fed and clothed forever by their liberators.<sup>47</sup>

Many planters, not feeling able to pay wages—for ready cash was scarce, political conditions unsettled, and the outlook uncertain—had arranged for the freedman to work temporarily for food and clothing for himself and family. In most cases the freedman was to receive a part of the crop in the fall. To the child-like negro, concerned with the immediate present, there was no difference between this and the old condition of a slave, and he soon wished to leave. As the summer of 1865 wore on, complaints came from all sides that vagrancy, theft, and vice were increasing and that many negroes were breaking their contracts without cause and leaving their families for their employers to

<sup>46</sup>*Ibid.*, p. 23.

<sup>47</sup>Charles W. Ramsdell, "Texas from the Fall of the Confederacy to the Beginning of Reconstruction," *Texas Historical Association Quarterly*, XI (1907-08), 214-217.

feed. For the most part, however, in the southern part of the state where demoralization was at its worst, the crops were already well advanced and would need but little attention until fall. In the north and northeast, where the Federal troops had not yet penetrated, the negroes had shown less inclination to wander about, or else their former masters had taken steps to keep them at home. Some planters agreed to hire no negro without the consent of his former master. The army officials generally endeavored to hold the negroes to their contracts, but at the same time they refused to allow coercion on the part of the employers. The discontent grew steadily worse, and the planters demanded state regulation of black labor. Conditions in the black belt, however, did not materially improve during the summer.<sup>48</sup> Meanwhile the harvest time approached and, despite the fact that the acreage was not large, there were not enough laborers to gather the crops. The negroes had become possessed of the singular delusion that on the following Christmas the government would divide among them the lands of their former masters. After General E. M. Gregory took charge of the work of the Freedmen's Bureau in December, 1865, conditions began to improve. All officers and citizens were enjoined to free the minds of the freedmen of any idea of a Christmas division of property. In the spring the planters were able to make contracts with the blacks, and unemployed freedmen became scarce.<sup>49</sup>

The Bureau officials found it necessary, when the cotton picking season came on, to instruct agents everywhere to see that the negroes used the utmost diligence in gathering the crop. Moreover, the Bureau agents were instructed in 1867 to see that the negroes who had worked on shares got their just portion of the crop and the market price for it. A later order of the Bureau stated that no contract to which a freedman was a party could be regarded as finally settled until arbitrated and fulfillment certified to by an officer of the Bureau. The negroes were urged to take a portion of the crop rather than monthly wages. The Freedmen's Bureau in its oversight of the work and wages of the blacks was beneficial both to the blacks and the employers.<sup>50</sup>

<sup>48</sup>*Ibid.*, pp. 217-19.

<sup>49</sup>*Ibid.*, pp. 277-293.

<sup>50</sup>Charles W. Ramsdell, "Presidential Reconstruction in Texas," *Texas Historical Association Quarterly*, XII (1908-09), 215-28.

The great problem of cotton culture in Texas, according to Loring and Atkinson, in 1869, was the worthlessness and scarcity of laborers.<sup>51</sup> These writers stated that hands were so scarce in the South that if they were offended in any way they would leave at once, knowing that they would have no difficulty in getting another place. The laborers appreciated the farmers' dependence upon them. The cotton region was in need of people, and therefore the Southern people were trying to induce immigrants to settle in the South.<sup>52</sup> One reason why the Southerners gave inducements to immigrants was that many now believed that the negroes would never make neat and careful farmers.<sup>53</sup> The Southerners were anxious for Northern farmers to settle among them in order to help restore Southern prosperity and to enjoy the benefits of their mutual labors.<sup>54</sup> The Germans of New Braunfels at this time were more prosperous than many of the ex-slaveholding Americans of Texas. The Germans expected a large immigration, although, in fact, the immigration to their colony was small. It had been predicted that in a quarter of a century, western Texas would be as German as Pennsylvania.<sup>55</sup>

After the Civil War immigrants were able to buy land cheap in Texas. The labor of a white man was considered more remunerative than that of a negro, because his caution in cultivating cotton made a few acres produce a greater amount of cotton and because the white man was not as careless and wasteful as the negro.<sup>56</sup> There was a tendency at this time to regard the large farm with negro labor as not the best farming unit. A small farm, worked by a white man with the help of one or two negroes, was considered the best unit.<sup>57</sup> The usual pay for labor was one-third of both the cotton and corn. Labor was scarce, and it was almost impossible for a stranger to get hands. The yield of cotton in 1869 was less than in 1860, because many of the slaves then engaged in raising cotton, now were town loafers or country

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<sup>51</sup>F. W. Loring and C. F. Atkinson, *Cotton Culture and the South* (Boston, 1869), p. 4.

<sup>52</sup>*Ibid.*, p. 4.

<sup>53</sup>*Ibid.*, p. 4.

<sup>54</sup>*Ibid.*, p. 70.

<sup>55</sup>*Ibid.*, p. 95.

<sup>56</sup>*Ibid.*, p. 120.

<sup>57</sup>*Ibid.*, p. 131.

idlers.<sup>58</sup> By 1876, however, the negro had become accustomed to his new environment, and as a farm laborer, or share tenant,<sup>59</sup> became more provident and contributed largely to the South's production of cotton.<sup>60\*</sup>

<sup>58</sup>*Ibid.*, pp. 151-52.

<sup>59</sup>Census of 1900, Vol. VI, Part II, Crops and Irrigation, p. 407.

<sup>60</sup>For an excellent discussion of the economics of slavery, see J. E. Cairnes, *The Slave Power* (London, 1862).

\*This article is adapted from the author's *The Development of Cotton Production in Texas*, a doctoral thesis submitted to the graduate faculty of Duke University, 1932.

## BOOK REVIEWS

EDITED BY O. DOUGLAS WEEKS

*The University of Texas*

Tugwell, Rexford G., *The Industrial Discipline and the Governmental Arts.*  
(New York, Columbia University Press, 1933, pp. 241.)

In this day when blue eagles hover over the land and liberal economists are having a Cinderella's dream come true it is profitable to have new statements of the liberal theories of economic discipline. Mr. Tugwell apparently has attempted such a re-statement and condensation of the basic theory currently accepted by the political powers that be. His book has nothing surprisingly new but serves a useful role in presenting concisely a plan of industrial regulation.

We have now, he finds, a fear motive for industrial group action instead of the more desirable motive in a hope for better things. We have on the intellectual side a backward scholarship that looks, by convention, at the past instead of the future. "It is because there is so little imaginative feeling for implication in the academic mind," he says, "that it remains so relatively useless in the crises of statesmanship." The machine system is still in a state of transition from human labor and has a confusion of techniques. When serialization of functions is completed, man should be emancipated from most labor save that of thinking for the machines. But social groups which gain from exploiting the system have established, as it were, an apostolic succession from Adam Smith and continually maintain an idealized picture of institutions which do not exist in order to keep the public fooled. These groups must be overcome before man's freedom will be complete.

For the future the author believes in the possibilities of industrial democracy and coöperative endeavor for a common benefit provided industry has some agency for reconciling conflicts, for controlling the allocation of capital, and for controlling prices. In this democracy, incidentally, experts would be designated only after tests and education would continue to become more and more a valuable institution. Articulation of business would be desirable and the days of anti-trust zeal will be gone forever.

The real conflicts in productive activity are not to be found in the realm of ownership, Mr. Tugwell thinks, for our functions and interests are so interrelated that the Marxian concept of a class struggle between owners and workers has never produced any important class consciousness in America. More realistically the true conflicts that must be resolved can be found in the differences of policies in an industry concerning wages as opposed to dividends, dividends against expansion, and expansion as opposed to wages. The resolution of such conflicts as these, obviously, must come through far-reaching attempts at conciliation or by reorganizing industry to legislate such conflicts out of existence. Resolution by the route of conciliation is now underway and will, the author believes, be more prominent for a long time to come, although elimination of the conflicts should not be overlooked as a possibility.

As might be expected, Mr. Tugwell turns to Government as the agent to resolve these conflicts and to provide security of economic existence.

The anguish of the wounded on the battlefields of France lay no heavier on the heart of Woodrow Wilson than the sufferings of idle men and women must lie on the hearts of statesmen in the coming years. Theories and traditions weighed very lightly in the scale over against the exigencies of efficiency which might save some lives in the process of establishing victory. Theories and traditions will again be weighed in the balance against the economic insecurity with which civilization has now joined battle. This does not mean that we can abandon our equipment of industry, technique, and methods any more than the imposition of the universal draft could take place by ignoring the American local pride of selection or any more than Liberty Motors could be made without engineers and their familiar materials. We have to start from where we are and to use the materials that we have.

National planning becomes a necessity in the gaining of security, so as a suggestion the author presents his idea of a national plan. In it the incorporation of business enterprises would be transferred in effect from the states to the Nation, the flow of new capital into its uses would be supervised, prices would be controlled, and some vital interests now neglected would be protected. Such days of peace might come, not through a constitutional amendment difficult of obtaining, but through using the familiar instruments of industrial integration, taxation to force surplus capital into more needed productivity instead of increased production of the same commodity, and the regulation of new capital issues by controlling incorporation. Prices for consumers would be fixed locally by agencies of a control board working through regional administration, but the prices of producers' goods might be designated on a national scale by fixing maximums and differentials as with wheat in wartime. Incidentally, price fixing would not be wholly new since studies already made and experience gained by governmental agencies might be used as a starting point.

But these proposals are for the ultimate perfection. What may be done during the immediate transition? Mr. Tugwell suggests a scheme similar in some respects to the National Recovery Administration that has flowered since his book was written. Businesses are to join industrial associations and, after affiliation, are to receive governmental sanction of continued operation. These associations are to set up their own planning boards with the Government represented on central inter-association boards.

The controlling body, it is conceived, would have powers of investigation and review of association policies with respect to security issues and prices. It would need to require common accounting systems, simplification of security issues, and the maintenance by the industry of fair prices, adequate wages, and decent working conditions; and, what is equally important, it could impose arrangements for patent-pooling and for the conservation of efficiency. Subject to review by the courts, it would have the power to lay fines on corporations or members deductible from balances in the Industrial Reserve Fund. As a last resort, it might be able to require expulsion of members of associations or the revocation of enabling certificates.

The Industrial Reserve Fund which Mr. Tugwell suggests would be derived from an excise tax on the products of industry and would be administered by a board on which Government would sit with representatives of industry. The fund would be divided annually into three parts: (1) a portion to be returned, in proportion to their excise tax yield, to those

industries which had adhered to the common plan; (2) a part to be retained in the fund until a great reserve is built up after which this could be drawn upon to pay dividends to shareholders; and (3) a portion to be transferred to a wage-reserve fund which would be returned proportionately to those states having schemes for unemployment insurance.

Each of these has a purpose. The first is to reward compliant industries and to compel adherence; the second is to furnish a safe and convenient substitute for the menacing reserve funds modern corporations have set up so extensively for themselves, and whose existence must necessarily defeat the general purpose for which they are set up; the third is intended to furnish a wider base for unemployment reserves than can be attained by the State schemes which will probably be the first American approach to insurance.

The book closes with a conviction that the way out of current difficulties is in escaping conflict and discovering consent. The accepted line of development, Mr. Tugwell like his President believes, will be tentative but promising for trial.

JAMES L. McCAMY.

The University of Chicago.

White, Leonard D., *Whitley Councils in the British Civil Service*. (Chicago, The University of Chicago Press, 1933, pp. xvii, 357.)

With the cessation of military hostilities in 1918, the British Government, along with that of every other combatant nation, discovered that the Armistice brought with it nothing more than a change in methods and locale; for if armed combat between nations had been concluded, a peace time conflict of gigantic proportions and unrivalled intensity confronted those who undertook to cope with the problems of internal reconstruction. One of the most significant agencies to which the Government had recourse during the early days of rebuilding was the committee, chairmanship by the Honorable J. H. Whitley, which was charged to consider employer-employee relations in industry. This committee brought forth a proposal for joint councils which by thoughtful attention to and recommendations concerning the problems brought before it should compose the differences between employers and employees in private enterprise. The essence of the report was accepted by the Government, and Whitley Councils were installed in industry. Within a year came a demand for the adaptation of the system to the official services, to which the Government acquiesced, though not without trepidation. In 1919, then, the Whitley Council system was introduced into the British civil service, where it has operated since. It is the story of service Whitleyism which fills the pages of the book under review.

The councils, as the sub-title of Professor White's book suggests, are possessed of functions which stamp them as bodies for the pacific settlement of differences within the service. "The Structure and Organization of the Negotiating Machinery," which is the subject developed in Part I of the book, is found in a national council which represents both "official side" and "staff side," in some seventy departmental Whitleys which likewise are representative of both, and in an arbitration court, which takes cognizance of those disputes to whose settlement the process of council conciliation proves inadequate. Part II of the study concerns "Whitleyism at Work."

Here the author deals with the chief problems which the system has been called upon to consider, among them the reorganization of the service, the question of compensation, and the matter of promotion.

The staff side representatives on the Whitleys, departmental and national, are named by certain unions of civil servants, whose numbers are legion. The unions, therefore, are inextricably bound up with Whitleyism; indeed, the author postulates the Whitley system as one of the chief motive forces in the unprecedented post-war development of service unions, and concludes (p. 348) that "Whitleyism is hardening into civil service unionism, . . ." It is patent then that the unions must command generous consideration in any analysis of Whitleyism, and this they receive in Part III of the work at hand, which treats of "Unionism in the Civil Service."

Part IV passes "Whitley in Review" in two terse chapters which bring the book to a close. With regard to service Whitleyism and the Industrial Court as a whole, our author concludes that the British Government, in accepting the principle of conciliation and arbitration as applied to the government services, has taken a step which places it far in the van among the nations of the world in the matter of intelligent dealing with public service problems. As for the parties concerned, the official side has found its difficulties somewhat increased by the very fact that the staff in any controversy must now be heard; the staff side, in some quarters, is inclined to reflect ruefully that it might do better outside Whitleyism, and in others to refuse to coöperate in every case on fundamental points. And if the public pauses to weigh the advantages which it enjoys under the system, it learns (in part) that the official side has played a more or less passive role, that the staff side has employed Whitley chiefly to pursue its "dollars and cents" ends, and that in a few instances, as in the case of the post-office departmental council, the system has broken down completely. Notwithstanding these shortcomings, all parties have gained much more from Whitleyism than they have lost. The official side has profited from a better staff attitude, from the deliberate consideration of grievances, from the contribution of staff experience, from the more satisfactory relations which now subsist as between treasury and department heads, and from the continued operation of official responsibility, which it was feared the system might undermine. The staff side has gained the right to call the official side to task concerning certain vital subjects, it has found itself forced to unite in the pursuit of common causes, it has profited from a significant, if intangible, spirit of enlightenment fostered by the system, and it has seen its more able representatives blossom forth in ways denied them in their humdrum official positions. The public, on its part, finds issues now settled amicably which formerly were dealt with by the (official) mailed fist, or ignored completely. These considerations are sufficient, in the opinion of the author, to set the balance definitely in favor of Whitleyism, which is hailed as a courageous attempt to deal intelligently with some of the most vexed problems presently confronting the student of public administration.

Professor White's scholarship has been tested with such frequency and such severity of recent years as to require no comment at this time from one who essays to review a work from his pen. Nevertheless it may be noted here that the problem chosen is most significant and most timely, and that the author has bestowed upon it the thoughtful attention which it deserves.

Not only has he developed his argument in a logical, straightforward fashion; he has written pointedly and well. In short, he has done worthily a worthy task, and is to be congratulated on having produced another excellent work.

ROSCOE C. MARTIN.

The University of Texas.

Knoeppel, C. E., *Profit Engineering*. (New York, McGraw-Hill Book Company, 1933, pp. xvi, 326.)

The book is written primarily for business men and as such treats many subjects of business administration in an elementary way. Nevertheless, it deserves the attention of business administration professionals and of economists.

The latter will find food for thought in chapters one to three, and fourteen. Here Knoeppel differs from orthodox theory that profits are not a cost of production. He writes:

"The broad premise of this presentation is that service at a profit, not profit alone, is the keystone of the business structure; that profits should be adequate and regular; . . . that all costs are costs of distribution; that an economic price is one that is fair to all concerned; . . . that profits should be planned in advance and controlled much as is production in out plants; . . ." (p. 13).

The idea is that many business mishaps are due to the fact that "as a nation we are not acutely profit-minded. Our primary and dominating instinct is to do things" (p. vi). Hence Knoeppel suggests (and here is where the business administration professionals will become interested) that instead of watching costs, as is ordinarily done, the reverse procedure should be followed: from the price of the product deduct the predetermined fair profit; the residue is then available for costs, which must be adjusted by proper planning so as to remain within the given limits.

While developing this idea (chapters 4 to 13) Knoeppel makes use of all the tools of standard cost and variation accounting and budgeting. In Chapter 7 he develops a new tool, however, the "Profitgraph." This is a graphic presentation of a *flexible budget* in a system of coördinates where the volume of sales is shown on the X axis and dollars on the Y axis. The purpose is to show graphically the influence of sales volumes upon the profits, and the amount which must be cut off from costs if profits are to remain in the face of decreasing volume.

In Chapter 15, Mr. Arthur J. Minor gives the mathematics behind the "Profitgraph." Chapters 16 to 21 give excellent, though sketchy advice on matters of business organization; this will appeal mostly to the business man.

The importance of the business ill to be cured and of the "Profitgraph" as a tool can hardly be exaggerated. It is necessary to develop the use of graphs in business management, where they have too long been neglected. Mr. Knoeppel might have emphasized one chief advantage of the graphic method which is that it is easily applicable when the budget line is not a straight line and cannot be expressed mathematically without the use of calculus.

Like the economist, the accountant will find statements which differ from orthodox theory. On page 40, for instance, a more clean cut differentiation

between depreciation reserves and a fund for replacement would be desirable; on page 198 Mr. Knoepfel raises a weighty issue when he says that the value of fixed assets should be allowed to rise and fall with the purchasing power of the dollar and that depreciation should be adjusted yearly by the use of an index. Still, these points, as well as the concept of profits as a cost, deserve the consideration of the theoretician, for they have been dictated by long years of practice.

RUDOLPH GROSSMANN.

The University of Texas.

Hindmarsh, Albert E., *Force in Peace, Force Short of War in International Relations*. (Cambridge, Harvard University Press, 1933, pp. xiv, 249.)

The scope of the volume under review is wider than its title would suggest. The author deals with the means of force short of war employed by states in pursuance of their real or pretended rights. But in describing force short of war, the author puts his finger on the sorest spot of the international law and the most fragile point in the whole structure of the peace among the nations.

The lack of external, objective authority to compel recalcitrant states to comply with their international obligations led to the origin of several self-help methods, inflicted by one state upon another. The most frequent and effective among them are: display of force, naval or military; embargo; pacific blockade; landing of force; and bombardment. All these means short of war are relatively recent origin—they came into general use in the Eighteenth Century. They may be traced back to the system of private reprisals, undertaken by individuals seeking redress against a member of a foreign community, and like the latter represent a type of a very primitive "justice" based mainly on the feeling of vengeance with all the vices inherent therein. They render the plaintiff judge and sheriff in his own cause and are likely to be abused. The recognition of the state reprisals by the international law does not furnish a justification for their existence, but simply indicates that a large part of international law represents mere crystallization of state practice. The elimination of these self-help methods is the indispensable condition of a lasting peace. This does not mean, however, a complete removal of coercion from international relations or a replacing of physical force with moral sanctions. The international community, like the national one, has not yet reached a stage where moral sanctions may be relied upon as the only guarantor of peace and order. The immediate problem, therefore, "is not so much a choice between moral and coercive sanctions of law; it is a question of offering a practicable substitute for the existing system of self-help sanctions."

The gradual elimination of the self-help system must go hand in hand with the building up of a strong international organization which would take over the function of enforcing the international law. Since the end of the world war there have been many attempts to erect an international structure along these lines. For some reasons, however, among which the lack of good will on the part of several states is of some significance, the endeavors have been only partly successful. The war, or at least the "illegitimate" war, has been banned in many treaties, beginning with the Covenant of the League of Nations. All these acts, however, have committed the same two errors. In the first place, they have condemned what is called war *de jure*,

but have not included in this condemnation all the means of force short of war, with the result, that a door has been left open for war in all but name. In the second place, they have failed to provide an adequate machinery for enforcing the prohibition of war. This is not to say that there has been no progress in that direction at all. The Covenant of the League of Nations represents a scheme of international government that may be taken as the starting point in the future development of international organization. But this would require the amendment of several of its provisions as well as the full and sincere coöperation of all members of the international community.

Mr. Hindmarsh's study is possessed of some qualities not often found in books on similar subjects. An objective tone is retained throughout the book. The right, impartial, appraisal is given to the existing forms of international organization. The discussion of legal problems is on a high level. Sight of the practical aspect of the question has not been lost. The book should be read by everyone interested in the problem of the peace.

ZENON WACHŁOWSKI.

John Casimir University, Lwów, Poland.

Middleton, W. L., *The French Political System*. (New York, E. P. Dutton and Company, Inc., 1933, pp. 296.)

It is no easy task to attempt to master the intricacies of the French political life. And there are not many books—among which that of A. Siegfried is probably the outstanding one—which have succeeded in accomplishing this goal. Yet there are very few works on this subject which have achieved that degree of keenness and profoundness that is characteristic of Mr. Middleton's study.

The author's aim is to describe the French parliamentary system in its actual working. The first four chapters deal with the origins of the system. The introductory chapter under a significant title, "The Unfinished Revolution," stresses the importance of the revolutionary issues in the present political life of the French nation, a knowledge of which is indispensable to a thorough understanding of the course and paradoxes of French politics. The following chapters present the geography of political opinion, and the development of the parliamentary system in France.

The most interesting part of the book begins with the chapter IV, which contains an excellent discussion of the French political parties, the characteristic feature of which being that the groups in the Senate are distinct from those in the Chamber of Deputies and both "are far from corresponding exactly with the parties as they present themselves before the electorate." An analysis of the French elections follows in which due homage to the wisdom of the French elector is paid.

Chapter V, which starts a series of five chapters devoted to the description of the functioning of the parliamentary government, presents in a brilliant way the function of the Chamber of Deputies which forms the keystone of the French parliamentary system. In contradistinction to England, where the bi-party system serves as the necessary basis of the present form of government, the two-party system in France would rather hurt than help the functioning of the French government. This is due to the fact that since the unsuccessful dissolution of the Chamber of Deputies by President

MacMahon in 1877 this constitutional procedure has fallen into complete disuse with the consequence that "the life of a Chamber of Deputies is in practice rigidly fixed," and that every ministerial crisis that occurs within the term of a Chamber, is an internal affair, to be solved without reference to the electorate. Therefore, "in a chamber bound to continue in existence until its mandate expires the mere liability to ministerial crises calls for elasticity in the distribution of Parliamentary forces. It militates against the creation of a two-party system and favours the formation of groups."

The existence of so many political groups in the Chamber and the necessity of forming a cabinet commanding a majority in the Houses led to the creation of the very peculiar, if not unique, institution—of the so-called "team of Prime Ministers." This term has been applied to a group of outstanding members of the Parliament like Mm. Poincare, Briand, Tardieu, Barthou, Laval, etc., who, because of their very loose connection with the several political parties and the personal authority they enjoy among their colleagues, are available as political brokers in bringing about the formation of a coalition cabinets which they may subsequently head. This problem is admirably treated in Chapter VI.

The following chapters deal with the problem of authority, the power of the Senate and the Presidency, throwing much new light on all of these problems. Chapter X is devoted to the significance of the press in the working of the parliamentary system in France. The four closing chapters acquaint the reader with recent internal and external political issues and trends.

A few more questions might have received mention or a more adequate treatment. A comparison of the French parliamentary system with the form of government in England might have been useful for an Anglo-Saxon reader. The mystery of the success of the French parliamentary system in spite of the breakdown of this form of government in so many other countries, and the rôle the bureaucracy is playing in the working of the French system might also have been treated.

Mr. Middleton's book will be welcomed by the political scientist as well as by the ordinary newspaper reader. It unquestionably deserves the distinction of becoming the standard book on the French political system. It possesses all the necessary qualities: it is short, clear, interesting, penetrating, and convincing.

ZENON WACHŁOWSKI.

John Casimir University, Lwów, Poland.

Laughlin, J. Lawrence, *The Federal Reserve Act, Its Origin and Problems.*

(New York, The Macmillan Company, 1933, pp. xii, 395.)

Utilizing a rather copious mass of material, Professor Laughlin has given in Part I of this volume a history of the origin of the Federal Reserve Act of 1913. In Part II, the problems now facing the system are discussed—the major ones being inflation and politics. His treatment, as stated in the foreword, is brief, especially in Part II. However, brevity has not resulted in the elimination of essential factors, nor in the exclusion of much documentary material which was at the author's disposal.

The story of the Aldrich Plan is related from the inside and its relationship to the Glass Bill described. Personalities of the period, some of whom were: William J. Bryan, Edward M. House, William G. McAdoo, and H. Parker Willis, are brought into play. The political skill of President Wilson is

emphasized, and it is he to whom the author gives the chief credit for the passage of the Bill (p. 190). Neither can Carter Glass be overlooked; "his function, which he performed effectively, was the political one . . ." (p. 136). However, it is hardly possible that Mr. Glass himself could have created the Bill. Too much credit perhaps cannot be given to Professor Laughlin, who has given most of his life to a study of finance and banking. To him much is due in regard to the origin, principles embodied therein, and final passage of the Federal Reserve Act. Much of his time was spent advising the sponsors of the Bill; he was untiring in his efforts in directing a campaign for the education of the public in the fundamentals of good banking.

The Federal Reserve System, no doubt, is still unfinished. The main achievement of the Act has been the reorganization of credit, but credit has not been understood. There are many unsolved problems; nevertheless from whatever angle we approach banking, it seems always to remain true that sound banking depends upon the ability to select sound assets when making loans.

Professor Laughlin decries the evils of a banking system run by politicians; he warns his reader against the fallacious theories of the English school of inflationists. To increase the medium of exchange as a remedy when there are not less goods to be exchanged is fatuous. To quote: "In short, we come to the fundamental conclusion that production of salable goods is the only way of developing purchasing power. That, in brief, is the only legitimate way out of the depression." (p. 273.)

The book is both interesting and stimulating. The author seems to have achieved his feat, and his material is well selected and arranged.

STUART A. MACCORKLE.

The University of Texas.

Dodson, Leonidas, *Alexander Spotswood, Governor of Colonial Virginia, 1710-1722*. (Philadelphia, University of Pennsylvania Press, 1932, pp. x, 323.)

This biography of one of the royal governors is a real contribution to that period of colonial American history which lies between the early days of colonization and the period of the Revolution. Many of the leaders of the beginning and the end of the colonial period have been written up; much remains to be done for the middle period. Alexander Spotswood was, nominally, the deputy governor under George Hamilton, Earl of Orkney, but in reality he was "governor in all but title and emolument." The appointment of Orkney was the beginning of a permanent policy of appointing absentees as governors of Virginia. The selection of Spotswood, who, like his chief, was a Scotchman, added to the richness of "the heritage which the colonies had from north of the Tweed." Spotswood is characterized as one of the "noteworthy men" of the colonial period, not as an agent of British tyranny, a term which fits so many royal governors. His administration is marked for "policies both wisely conceived and vigorously pursued." His authority was tested both by the House of Burgesses and by the Council, which latter body had acquired a feeling of self-sufficiency from administering the government during the interregnum of four years following the death of Governor Edward Nott in 1708.

Thirteen chapters with three hundred and three pages of story constitute the biography of Alexander Spotswood. The writer found Spotswood's correspondence of great help, but used many other primary sources, both manuscript and printed, and some secondary sources. After a brief opening chapter, in which Spotswood's life is recounted from his birth at Tangier in 1676 to his arrival at Jamestown in 1710 as deputy governor of Virginia, the story narrates the public career and activities of this colonial official. Preparations for military and naval defense, the settlement of boundary disputes with North Carolina, and of Indian relations and cattle lifting, Indian uprisings, difficulties with the Virginia burgesses, the Yamasee Indian War of 1715 against South Carolina, the tobacco trade of Virginia and the control of tobacco production, the enforcement of the Navigation Acts, the land system and quit rents, reform of fiscal affairs, the reform of the church, the settlement of the frontier, the production of naval stores, and his reconciliation with the Council were some of the matters with which Spotswood had to deal during his tenure of twelve years. While in office Spotswood came into possession of 85,027 acres of land in Spotsylvania County, which, with Brunswick County, was organized on the western frontier in 1720. The final chapter narrates Spotswood's activity as a Virginia planter and carries the story to his death on June 7, 1740, at the age of sixty-four. The name Spotswood found its way into the "first families of Virginia" and, like the rest of them, receives its customary respect in Virginia to this day.

R. L. BIESELE.

The University of Texas.

Lynch, Denis Tilden, *Criminals and Politicians*. (New York, The Macmillan Company, 1932, pp. 256.)

Helm, William P., *Washington Swindle Sheet*. (New York, Albert and Charles Boni, 1932, pp. 249.)

Rowntree, Harold, and McCree, Beatrice, *Smash the Political Machine*. (New York, Brentano's, 1932, pp. xx, 236.)

The three books listed above were written for popular consumption and in breezy journalistic style. The first is a reprint of a number of articles prepared for the *New York Herald Tribune*; the second is the work of a journalist of long experience in observing the activities of government; and both books are essentially newspaper reports of detailed sets of facts. Famous racketeers and their activities in relation to politicians is Mr. Lynch's main thesis, and the writer is inclined to blame the entire phenomenon of racketeering on prohibition. Mr. Helm occupies himself with a detailed account of the absurdly extravagant expense accounts of United States senators, the facts for which he gleaned largely from the annual report of the Secretary of the Senate for 1930-1931. Both books are valuable and interesting for what they are, but the facts presented are selected and emphasized in the manner of the newsgathering profession.

*Smash the Political Machine* is essentially a popular sermon addressed to the mythical average voter who is supposed to be capable of participating in a kind of general will described by the writers as "average public opinion." The only obstacle that stands in the way of a full translation of this opinion into governmental policy is the political machine which serves only selfish group interests and which is regarded as everywhere present in the United

States and as constantly bent upon defeating both the best interests and will of the people. The people are, therefore, urged to assert their inherent common sense and rise in a manner not made clear to assert their birthright. Apparently fear of something worse than the machine, and not any natural impediment to intelligent mass action, holds them back. This theme, which the writers present with something of the air of having made a discovery, is an old one to political scientists and the remedy suggested is scarcely new. Occasionally the people apparently do the very thing suggested here, but the machine has a disconcerting way of coming back.

O. DOUGLAS WEEKS.

The University of Texas.

*Cesarismo Democrático.* By Laureano Vallenilla Lanz. (Caracas, Tipografía Universal, 1929, pp. viii, 351.)

*El Sentido Americano de la Democracia.* By Laureano Vallenilla Lanz. (Caracas, Tipografía Universal, 1926, pp. 50.)

*Esbozos Anti-Imperialistas.* By Antonio García Sanjurjo. (Mayaguez, Porto Rico, Tipografía Revista Blanca, 1931, pp. 291.)

*La Democracia y la Función.* By Enrique Hernández Corujo. (Habana, Rambla, Bouza y Cia., 1931, pp. 267.)

*La Elección de Segundo Grado por Compromisarios.* By Enrique Hernández Corujo. (Habana, Rambla, Bouza y Cia., 1930, pp. 22.)

*Organización Civil y Política de las Revoluciones Cubanas de 1868 y 1895.* By Enrique Hernández Corujo. (Habana, Rambla, Bouza y Cia., 1929, pp. 264.)

*La Revolución en la América Latina.* By Alfredo Colmo. (Buenos Aires, M. Gleizer, 1932, pp. 328.)

*La Marcha Libertaria en América.* By Ernesto Aliaga Súarez. (La Paz, Esc. Muncpl. de Artes y Oficios, Sec. Editorial, 1930, pp. 44.)

*Teatro Revolucionario Mexicano.* By Mauricio Magdaleno. (Madrid: Editorial Cenit, S. A., 1933, pp. 274.)

Vallenilla Lanz is a writer of distinction and a member of nearly all of the historical societies of Latin America. He has sometimes been called the South American Machiavelli, and he admires the Italian apologist for the Medici. He also professes to believe in democracy, but holds that there must be as many forms of democracy as there are peoples and cultures and that in Venezuela (his own country) and some other South American states the only kind of democracy that will work is that which is planned and executed by a benevolent dictator. He deplores the hiatus between political theory and practice in Latin America, attributing it to the attempt to impose the French and North American theories of democracy upon Latin American peoples of lower culture, thus leading to frequent revolutions. He thinks better immigration and the development of national wealth may raise the cultural level of these peoples. García Sanjurjo's book is a protest against the "Yankee peril." There are many interesting side lights upon Porto Rican and Antillan culture in general. The author declares Henry George was the greatest of all economic thinkers.

The learned jurist Bustamante thinks that Hernández Corujo is one of the leading intellectual lights of Cuba and praises his two longer books highly. The "Democracy" is a very intelligent account of the causes of the

rise of modern democracies and an able defense of this form of government. He denies that democracy has failed in the present crisis and contends that it needs more intensive organization and the services of experts. This expert organization in relation to services is what he means by "function." His account of "Cuban Revolutions" is perhaps an even abler book, for it shows quite clearly and concretely the civil and legislative progress that was accomplished during the last period of revolutions. It is well documented.

A very important volume is that by the distinguished Argentinian, Alfredo Colmo, long a member of the department of justice of the Argentine federal courts. A partisan of neither the Yrigoyenites nor the militarists, he reviews the revolution of September 6, 1930 in the light of Latin American revolutions in general and of all revolutions in history. He attempts, quite successfully I think, to draw some general sociological and political principles from his data. It is clear from his discussion that he does not believe that there was the imperative need that was claimed for the revolution nor that it accomplished all that it claimed nor that it solved the problems that it set out to solve. In fact, he condemns revolution as a method of reform, except in the most extreme cases. This work by Colmo is standard for this incident in Argentine history and for Latin American revolutions in general. It is an able work.

A very popular treatment of the South American independence movements and their leaders in the first quarter of the nineteenth century is the work by Aliaga Suarez. Magdaleno's "Mexican Revolutionary Theatre" contains three plays: "Panuco 137," "Emiliano Zapata," and "Trópico." I cannot judge these plays from the standpoint of the stage, but they are very interesting reading and thoroughly dramatic, setting forth the major issues of the popular revolutionary movements which Zapata so thoroughly typified.

L. L. BERNARD.

Washington University.

Merriam, Charles E., Parratt, Spencer D., and Lepawsky, Albert, *The Government of the Metropolitan Region of Chicago*. (Chicago, The University of Chicago Press, 1933, pp. xxii, 193.)

The Social Science Research Committee of the University of Chicago has sponsored the publication of more than a score of significant studies in the last few years, and one of the most important is the volume presently under review. Professor Merriam's interest in the Chicago area is of many years' standing; his previous investigations have led to noteworthy contributions toward an understanding of the municipal scene. In the project which eventuated in the work at hand he made liberal use of the time and energies of his two associates. The book consequently reveals at the same time the wealth of material which comes only from the hands of vigorous investigators and a balance which could have been imparted only by a seasoned student of metropolitan problems.

Taking as their locus of investigation the area within fifty miles of the intersection of State and Madison Streets in Chicago, the authors proceed to describe and evaluate the governments found there, and to chart alternative courses by which escapes from the morasses discovered might be effected.

The book unfolds in three parts: Part I, under the heading "Chicago in Confusion," presents a description of the more important of the sixteen hundred governments of the area; Part II, treating of "The Regional System at Work," reveals the activities of the agents of the major jurisdictions; and Part III suggests several optional "Ways out of the Jungle." Four maps and twenty tables enliven the text, which never drags, notwithstanding its amazing compactness.

The reader who turns through the first twenty chapters of this volume will find a life-like commentary on what gives every indication of having been the inspiration of the originator of the jig-saw puzzle. In one respect only does the evidence fail to warrant the conjecture: if this sixteen hundred-piece puzzle were ever dismantled, it would be beyond human power to put it together again into any sort of workable system. And the reason for that is evident, seeing that the maze of jurisdictions does not exist at present in any logical or reasonable form. The reader, indeed, is quite likely to insist that the reviewer's characterization is entirely too temperate in language, and to congratulate himself, if he be somewhat removed from the midwestern metropolis, that he does not have to live in any such nonsensical labyrinth of political jurisdictions.

His grounds for congratulation, however, are as likely to be partly or wholly baseless as not. The Census of 1930 reveals that the United States has ninety-six metropolitan regions which contain in the aggregate forty-five per cent of its population. Furthermore, it is not difficult to see that the major problems of Chicago differ only in degree from those of any other metropolitan area. In short, our authors write of matters which are of common interest: we may wish that the problems which concern them could be isolated in the Chicago region, but in point of fact they cannot be. Thus while the volume at hand is nominally a work on Chicago and its environs, actually it becomes a valuable handbook for all interested in the larger municipalities. As such, its author's recommendations, which comprise the most important portion of the book, are pregnant with meaning for every person concerned with the future of government in this country.

Roscoe C. MARTIN.

The University of Texas.

Gee, Wilson, *Research Barriers in the South*. (New York, The Century Company, 1932, pp. ix, 192.)

This is a provocative little book, that shows, by the questionnaire method, the disadvantages under which Southern education and research labor. The author is interested primarily in the difficulties of Southern research in the social sciences, but his conclusions are applicable to all Southern research work.

In a chapter on the "drag" out of the South, Professor Gee shows that while more positions filled in the South by others than are filled elsewhere by Southerners, there is a greater proportion of the distinguished men who go North than who stay in the South or go South. In other words, most of the leading men (and positions) are in the North.

A comparative study of salaries indicates that a professor in a Northern or Western University is paid on the average about one-third more than a

professor in a Southern University (p. 50). Next it is shown that there is no evidence that the cost of subsistence is lower in the South than in the North. Cheaper budgets reflect lower standards of living.

Next Professor Gee studies teaching loads and concludes that the Southern teacher does about thirty per cent more routine teaching than the Northern or Western professor.

A long chapter on "administrative attitudes" cannot be summarized. It reveals some astonishing variations in attitudes by administrative officials to research problems.

Professor Gee has written a book that should challenge the attention of all persons who are interested in the intellectual development of the South. It is clearly written and it is full of facts. It demands attention. To an ambitious youngster it may seem to say, "Go North, young man."

A. P. BROGAN.

The University of Texas.

Keller, A. G., *Reminiscences of William Graham Sumner*. (New Haven, Yale University Press, 1933, pp. 110.)

Professor Keller knew Sumner intimately during the last fifteen years of the latter's life, and these memories of his great friend are evidently inspired by an affectionate regard for his personality and character and by an admiration for his contributions to social science.

As a teacher, Sumner was an inspiring one. His students were impressed by his passion for truth, his courage in expressing his convictions on political and economic subjects, his command over vast legions of facts, and his hard hitting ability. To the students he was "Old Bill," but they respected him. His big course at Yale was no "cinch course," for he gave to the several hundred students a daily ten minutes quiz, and for years he himself graded the papers. "His job" at Yale, as he conceived it, was primarily that of a teacher,—that was what he said he was paid for, and he allowed no weather conditions or outside appointments to prevent him from meeting his classes. In his opinion, teaching and research were not separated, the latter being a requisite for the former.

In the political campaign of 1932 Sumner's "Forgotten Man" was remembered, but apparently he has been paraded in not quite the character that Sumner conceived him. Sumner presented him in 1883 in this way: "The type and formula of most schemes of philanthropy or humanitarianism is this: A and B put their heads together to decide what C shall be made to do for D. The radical vice of all these schemes is that C is not allowed a voice in the matter, and his position, character, and interests, as well as the ultimate effects on society through C's interests, are entirely overlooked. I call C the Forgotten Man."

The admirers of Sumner are under obligations to Professor Keller for the glimpses he has given of the human and professional traits of a great teacher and an historic figure in the development of the social sciences, especially economics and sociology, in this country.

E. T. MILLER.

The University of Texas.

## BOOK NOTES

Two books of considerable help to students of public administration have recently been published by two organizations interested in this important field. The Public Administration Clearing House, organized in 1931 for the exchange of information among groups engaged in the promotion of proper administrative technique, has issued a Directory, *Organizations in the Field of Public Administration* (Chicago, 1932, pp. xi, 203), which should prove to be of great helpfulness to those who seek to identify properly certain organizations among the myriad that are interested in the improvement of administrative organization and procedure. These organizations are listed under appropriate headings, national, state, regional, and Canadian; and in the case of the national organizations, a brief description is given, noting membership (composition and number), finances, secretariat, activities, affiliations and publications. A perusal of this Directory will convince anyone that the United States is certainly a nation of "joiners." The Institute of Public Administration is continuing its important work by the recent publication of *A Bibliography of Public Administration*, Part I—General Literature (New York, 1933, pp. xi, 90). This book is part of a larger volume that is now being prepared by Miss Sarah Greer which will serve as a comprehensive bibliography in the field of public administration. In the part now published bibliographic references, general works, and publications classified by countries are given under such topics as Government Documents, Constitutions, Theory and Practice of Government, Legislative Organization and Procedure, Science and Art of Administration, Administrative Law, state and local government in the United States, the national government of foreign countries and the like. The references given are selected, and no attempt is made to compile an exhaustive list; but on the whole there has been a judicious selection which will furnish an adequate guide to the literature of public administration.

J. A. B.

*The Significance of Sections in American History*, by Frederick Jackson Turner (New York, Henry Holt and Company, 1932, pp. ix, 347) is a republication in a single volume, with an "Introduction" by Max Farrand, of a number of essays by Professor Turner, which originally appeared in various learned journals, and some of which were read as papers before learned societies. As the title of this publication indicates, the underlying theme is the importance of sections and sectional interests as factors in American history and politics. Not only are the major sections emphasized, but also the smaller ones which may lie entirely within a state or which may cut across the corners of two or more adjoining states. Only by a careful study of the facts, both natural and social, which have created and motivated the social behavior of these areas can an accurate social science be developed. In the process of assembling these facts and interpreting them there must be a greater degree of coöperation between historians, political scientists, economists, sociologists, social geographers, and other social scientists. The larger sections are similar in Professor Turner's mind to the nations of Europe, but they are subordinated in our federal system to a unity unknown in Europe, which is the great American accomplishment. Nevertheless, sectional issues have always dominated our politics and will continue to

do so, perhaps to an increasing extent and in spite of the centralizing process. The student must, therefore, go much farther than he has in taking them into account.

O. D. W.

As its subtitle states, *A View of Europe, 1932* (Baltimore, The Johns Hopkins Press, 1933, pp. vi, 153), by Paul van Zeeland, is "an interpretative essay on some workings of economic nationalism." The studies constituting the book were the subjects of lectures delivered at Johns Hopkins University under the auspices of the Page School of International Relations. In the development of his general subject the author considers, first, the emergence of post-war economic difficulties, second, the trial and failure of measures of economic nationalism and of economic and political internationalism, third, the relation of politics and economics in attempts to find solutions, and fourth, the special position of Belgium in the financial and economic crisis. His general conclusions are that the states, by a proper correlation of governmental and private forces, should abolish hindrances to commerce and to the free movement of capital and should reëstablish an international monetary standard. As an essay on the failures of economic nationalism the book is satisfactory; as a guide in the search for solutions it is inadequate, for it holds too firmly to the principles of private capitalism. The reader immediately becomes suspicious when he is told that the Roman Pope is "the highest moral authority in the world," that the Russian five-year plan is "pathetic," and that some great industrial and financial leaders "come readily to think and to plan in terms of the public interest."

C. T.

Robert L. Jones, in *The Eighteenth Amendment and Our Foreign Relations* (New York, Thomas Y. Crowell Company, 1933, pp. vii, 192), tells the story of the more important situations created by the Eighteenth Amendment and the Volstead Act in the conduct of the foreign relations of the United States. In successive chapters he considers the activities of the State Department, the international legal questions raised by "the noble experiment," and our specific negotiations with Great Britain, Canada, France, Cuba, Mexico, and Japan. An entire chapter is devoted to the *I'm Alone* case. In the appendix are found the treaties with Great Britain, France, and Japan. As will readily be understood, the author had to depend for his material largely upon the press releases of the Department of State and upon the daily papers. He made, apparently, very little effort to check the European press for useful data; furthermore, his use of judicial decisions is not adequate. Considered generally the volume, though a useful gathering together of the threads of some of the negotiations revolving about prohibition, is marked by a lack of brilliance and thoroughness and by a tendency to repetition. A statement on the jacket informs us, however, that it should be read "by every well-informed citizen" although it is a bit difficult to see what additional information a really well-informed citizen would get out of it.

C. T.

*Desertion of Alabama Troops from the Confederate Army* (New York, Columbia University Press, 1932, pp. 281), by Professor Bessie Martin of Judson College, Marion, Alabama, bears the sub-title, *A Study in Sectionalism*. The writer quite correctly says that her study "presents a phase

of war which cannot be glorified, though it has its heroic aspects, . . ." Deser-  
tion of Alabama troops had a direct relation to poverty in the state, being  
greatest for those sections where the people were poorest. Five maps throw  
much light on the story of desertion. Many public records and contempor-  
aneous newspapers were searched to secure the facts for the study. The  
story runs through eight chapters which, respectively, define desertion, show  
the distribution of deserters, give the military and political as well as the  
social and economic causes of desertion, relate the efforts to check desertion  
both by preventing it and by effecting the return of deserters, deal with  
desertion to the enemy and its treatment, and discuss the consequences of  
desertion. The military and political leaders ascribed defeat to desertion.  
General Robert E. Lee called it "the great evil which threatens our cause;"  
General Joseph E. Johnston listed "desertion as the chief cause of defeat";  
and President Jefferson Davis pointed out that "with anything approaching  
numerical equality" the Confederacy's forces had always been successful.

R. L. B.

*George Morgan, Colony Builder* (New York, Columbia University Press, 1932, pp. xiv, 266) by Professor Max Savelle of Stanford University is the story of "a business man, Indian agent, colonizer, agriculturist, and writer." George Morgan, whose life encompasses the years 1743 to 1810, passed through three periods of our country's history: *first*, the extension of the colonies westward into the Indian country; *second*, the separation of the colonies from the mother country; and *third*, the building up of a new government which could respect itself and "command the respect of the nation's neighbors." Basic in the writing of this book were the papers of the Morgan family, but many other sources were used. George Morgan was interested in several frontier enterprises—the "Grand Illinois Venture" with his business partners John Baynton and Samuel Wharton, which was terminated in 1776, the Indiana Company of 1768, the proposed New Jersey Land Society of 1788, and the New Madrid project of 1789. The New Madrid venture west of the Mississippi just north and south of the mouth of the Ohio was "An Adventure in Diplomacy" engineered by Don Diego de Gardoqui, Spanish minister to the United States, who "was to do what he could to alienate the Americans of the west from the United States." A map facing page 80 which shows the various enterprises of Morgan is especially serviceable.

R. L. B.

Robert T. Pollard's *China's Foreign Relations, 1917-1931* (New York, The Macmillan Company, 1933, pp. x, 416) may be said to supplement the work of H. B. Morse on the international relations of the Chinese Empire. If Drs. Morse and Pollard are to be followed, Chinese foreign relations are divided into four periods, to wit, the Period of Conflict, ending in 1860; the Period of Submission, 1860-1894; the Period of Subjection, 1894-1917; and the Period of Recovery, 1917-1931. As the title states, the present volume is concerned primarily with the fourth period. In it the author tells the story of the persistent and partially successful fight of China to regain the full exercise of its sovereign rights. He succeeds in keeping a fairly clear perspective through all the tangled skein of international politics at the

Paris Peace Conference, the Washington Conference, the later or continuation conferences dealing with special phases of Chinese autonomy, and in the complicated relations with Soviet Russia and Japan; nor does he neglect the rise of such portentous factors as Chinese nationalism, which, after all, furnishes the key to the foreign relations of the whole period. C. T.

Professor James T. Young in his first revision in ten years of *The New American Government and Its Work* (New York, The Macmillan Company, third edition, 1933, xx, 1020) has added brief discussions of policy in some chapters, bits of contemporary criticism of government, occasional references to the depression and its effect on government, and twelve new chapters enlarging previous fields. The text departs from the usual routine of defining terms and describing the mechanics of national structure and procedure by assuming from the beginning a knowledge of the elemental facts of political life. When he does stop to give an occasional elementary description, the author presents not only the evident facts, but adds as well the customary and extra-legal practices which most politicians choose to forget. More satisfactory than in most texts is the frequent citation of Supreme Court decisions to demonstrate the present status of constitutional provision on any topic under discussion. The reader has along with the text a Constitution brought up to date, a government as it is in fact. There is also a good exposition of judicial review. The powers of Congress are discussed according to their objects of operation, and a thorough and clear presentation of processes in administration is current throughout the book. J. L. McC.

*The International Joint Commission Between the United States of America and the Dominion of Canada* (New York, Columbia University Press, 1932, pp. 431), by Chirakaikaran Joseph Chacko, is a valuable contribution to the literature bearing upon international waterways. The peaceful manner in which the United States and Canada have for long solved their boundary problems is usually held up as an object lesson to the other states of the world. In this book the author gives us a scholarly, readable account of the methods employed in solving the most important of those problems, i.e., those dealing with the boundary waters. He studies, in the light of all relevant documents, the judicial, administrative, investigative, and arbitral powers of the Commission and concludes that it has done and is doing its work so well as not only to promote peace and justice in United States-Canadian relations but also to serve as an important factor in encouraging the creation and use of similar international bodies elsewhere in the world.

C. T.

Professor T. V. Smith has talked over the radio and now publishes a delightful set of dialogues, *Philosophers in Hades* (Chicago, The University of Chicago Press, 1932, pp. xvii, 229), in which an Earthling (obviously from Texas and Chicago) interviews each of the classical Greek philosophers. In the dialogues each philosopher expounds the essentials of his own philosophy with a light hand. The Earthling presents criticisms and modern application. The book makes interesting reading and eases into the reader's mind many of the most important doctrines of Greek philosophy. The limits of the book

are naturally determined by its radio audience. The book is worth reading on its own account and it suggests a future type of radio literature.

A. P. B.

*The People's Choice, From Washington to Harding, A Study in Democracy*, by Herbert Agar (Boston and New York, Houghton Mifflin Company, 1933, pp. xxi, 337), is a series of brief biographical studies of all the presidents from Washington to Harding with main emphasis upon their personal and political qualities. The writer is a student of history and has succeeded in giving a clear cut and accurate pen sketch of each chief executive. He divides the history of the presidency into three well defined periods: that of the "Oligarchy" from Washington to John Quincy Adams; the "Democracy" from Jackson to Lincoln; and the "Plutocracy" from Johnson to Harding.

O. D. W.